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COMMISSION ON SECURITY AND COOPERATION IN EUROPE

NINETY-NINTH CONGRESS

FIRST SESSION

HUMAN RIGHTS AND THE CSCE PROCESS

OCTOBER 3, 1985

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PUBLIC HEARING ON HUMAN RIGHTS AND THE CSCE PROCESS

THURSDAY, OCTOBER 3, 1985

COMMISSION ON SECURITY AND
COOPERATION IN EUROPE,
Washington, DC.

The Commission met, pursuant to notice, in room 538, Dirksen Senate Office Building, First Street and Constitution Avenue NE., at 10 a.m., Senator Alfonse M. D'Amato (chairman) and Representative Steny H. Hoyer (cochairman) presiding.

In attendance: Commissioners and Senators John Heinz, Malcolm Wallop, and Gordon J. Humphrey.

Also in attendance: Michael R. Hathaway, staff director, and Mary Sue Hafner, general counsel of the Commission.

OPENING STATEMENT OF CHAIRMAN D'AMATO

Chairman D'AMATO. This hearing of the Commission on Security and Cooperation in Europe [CSCE] is the first of two hearings convened to review prospects for the future of the Helsinki process. I am very pleased to welcome our distinguished witnesses to this important event, and my colleagues and I look forward to learning your views, as leaders on the human rights movement, on the future of the process.

George Orwell once wrote that the Soviet Union is the only nation in the world in which yesterday's weather can be changed by decree. The Soviet Union preserves its power and advances its policies behind a fog of lies and deceptions. Truth burns through this fog, exposing Soviet policies, methods, goals, and objectives as they really are.

As we meet here this morning, General Secretary Gorbachev is in Paris. He is meeting with President Mitterand, working hard to convince the people of Europe that the Soviet Union is the hope for the future of mankind and is the true force for peace in the world.

The Helsinki process is one of the reasons why his efforts are doomed to fail. We have told the true story of the famous dissidents and refuseniks, of the heroes of solidarity, K.O.R., and Charter 77.

We fight for the cause of the nameless millions who yearn for human dignity through respect for their human rights and fundamental freedoms. We remind those who would rather forget about General Jaruzelski's water cannons and clubs and about the death of the Prague spring and the Hungarian revolution under the treads of Soviet tanks.

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Yet the reach of the Soviet lies, deception, and intimidation influences people around the world. Just yesterday the New York Times reported, in a story by Richard Bernstein, the measures the French Government is taking to prevent Mr. Gorbachev from being discomforted by the intrusion of the truth into his public relations campaign.

According to the "Times,"

> Demonstrations in support of Soviet dissidents and Jews had been planned by several French groups to coincide with the [Gorbachev] visit. But last week, the French police formally banned the protests on the ground that Mr. Gorbachev should be treated "with all the consideration due his rank."

I find that interesting. It is unfortunate that in a democracy, the French would find it discomforting to allow those who seek to argue for the cause of human rights to confront Gorbachev with Soviet violations. French leaders apparently believe that Mr. Gorbachev should not have to see this or hear the public protests about Soviet misconduct.

Mr. Gorbachev seeks to deceive us with his skillful use of television. I think we must ask him, as the French television reporter did, about the 4 million prisoners he keeps in his gulag. Unlike the French, we must throw his arrogant denial back into his teeth as the lie that it is.

We have a moral obligation both to our own principles and to those still behind the Iron Curtain struggling for freedom to remind the world of the existence of the Soviet gulag.

If we were to unilaterally withdraw from the Helsinki process, the light of truth would be dimmed and might even go out.

Certainly, the dissidents and the refuseniks would feel cut off and betrayed. Many others would face the fate of Father Jerzy Popieluszko—death in the night at the hands of the secret police.

Soviet atrocities and migratory genocide would continue in Afghanistan, safely free from criticism behind a fog of propaganda and the stealthy efficiency of the KGB.

I strongly believe we must continue the process as frustrating as it might be.

The Soviet Union has trouble selling its lies to an audience which keeps asking "Where is Andrei Sakharov?" And, it has trouble convincing people in the West that its words are credible when it promises to abide by new arms control agreements while it violates old ones and flagrantly ignores its promises to respect human rights and fundamental freedoms.

While the Soviet leaders have trouble selling their lies, I think that they haven't had nearly as much trouble as they should have in light of their record and their current conduct. Also, I fear that Soviet propaganda successes might be much greater were it not for the efforts of this Commission and the help of those who work with us in the Helsinki process.

When Gorbachev receives such wide acclaim and is heralded as the new media star, this blaze of publicity obscures what is really taking place behind the Iron Curtain, in the satellite countries, and the Soviet's policy and conduct. So, I don't think he's been having as much trouble as he should have selling his lies. I think he's been rather successful, and he might be even more successful in the future.

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We have had precious little in the way of concrete success, but at least there is some light, there is some hope, and I would not like to see that hope extinguished.

I'll now ask my cochairman, Congressman Hoyer, for any opening remarks he might have, followed by Senator Wallop and any of the other Commission members before we hear from our first witness.

Cochairman HOYER. Thank you very much, Mr. Chairman. I want to congratulate you at the outset for your leadership in holding these hearings to give us an overview of the CSCE process from those who have been most closely following the process.

I think that this hearing and the subsequent hearings will be very useful not only to the Commission but to the Congress and to the American public as we proceed with the process.

I am also very pleased to see such a distinguished panel of individuals who will be testifying before us today. I commend each of them for their dedication and commitment to monitoring and furthering the cause of human rights throughout the world. As leaders of the human rights communities and of nongovernmental organizations, you have contributed to and played an indispensable role within the Helsinki process. In no small measure, you have kept alive the issues that we discussed at Ottawa and those which will be discussed at the Budapest Cultural Forum—respect for human rights and fundamental freedoms.

That you have taken the time from your busy schedules to present your views before the Commission is, in my opinion, reflective of your deep and abiding support of the standards, political and moral, set forth in the Final Act and in the Madrid Concluding Document.

The testimonies that you are to give, having reviewed them, are in my opinion eloquent statements in support of the CSCE process. I do not think there is not anyone present here today who does not share the objectives of the Final Act, though we may disagree about the means. That is why I am particularly anxious to hear from each one of you today.

What do you see in the next 10 years and what policy options do you feel would be effective in promoting human rights?

And finally, I hope that one of you, perhaps Ms. Laber, would address East Europe, an area for which I hold particular hope, and I'm interested to know whether that hope is justified.

As the newly appointed cochair of the Helsinki Commission, I look forward to continue working with Senator D'Amato and other members of the Commission on possible policy options available to the Commission by which we may increase public understanding and interest in human rights.

I would add that, that was the subject of a lengthy discussion by the Commission members at an early morning meeting in which each of the members present expressed as an objective of the Commission that we heighten public awareness of the process so that we can build public support and more public pressure, if you will, on reaching the goals that we share.

On Labor Day, the chairman appropriately had a press conference to remind us that forced labor is used by the Soviet Government to produce certain goods which are imported into the United

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States. So, I am very pleased to be working with Senator D'Amato who has shown leadership and commitment in this area, and has energized, in my opinion, the Commission.

There is a strong voice emanating from the Commission. We are concerned about the circumstances with which we are confronted. I am troubled, however, by the calls from some for withdrawal from the CSCE process, for it seems to me that we let off the hook those violating human rights by reducing the forums at which our concerns can be raised and discussed.

We are engaged, as the chairman has said, in a never-ending struggle for human freedom. Why speak of retreat and surrender?

For myself, I believe we should use every available forum to discuss human rights. In Budapest at the Cultural Forum which is about to begin this month, we will have another unique opportunity in the presence of 34 other nations to discuss Cultural Freedom, which includes the right to create, to produce, receive and disseminate information, to read a Bible, to pass on a religious heritage to one's children, and to speak a particular language, to name but a few.

I had the opportunity of speaking at a luncheon which was given for some of the cultural figures who will be going to Budapest as representatives of the cultural community in this country. Roz Ridgway of the State Department spoke that afternoon as well. Both of us strongly emphasized the centrality of human rights to the discussions at the Cultural Forum in Budapest.

The Commission intends that those issues should be thoroughly discussed. The Budapest Cultural Forum presents an important opportunity to enlarge the humanitarian dimensions of the Helsinki process. We hope and we trust that that opportunity will not be passed up.

I want to say again in closing, Mr. Chairman, again, that I congratulate you for not only scheduling this hearing but subsequent hearings to hear from those people who have been involved for so many years, and who continue to be on the cutting edge of pressure to make sure that this country and other signatories to the Helsinki accords, do not forget their obligations.

Thank you, Mr. Chairman.

Chairman D'AMATO. We thank you, Congressman Hoyer.

Senator Wallop.

Mr. WALLOP. Mr. Chairman, thank you. Let me express my appreciation and admiration to you and Congressman Hoyer for the energizing of this process that you have set underway.

I want to take a slightly different view this morning, and I hope you'll hear me through because the hearing today is held to review the so-called CSCE process; and that is to say, to review the progress of the Conference on Security and Cooperation in Europe and the promotion through that process of the goals of the Helsinki accords, and the promotion of human rights in the Soviet Union and Eastern Europe.

The hearing is going to try to meet the goal of focusing on how the CSCE process can best attain the goal of true security and cooperation in Europe in the future, including respect for human rights and fundamental freedoms. It's a formidable path for the CSCE process and it has been ongoing for 10 years now and has

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involved many international meetings and follow-up activities—which are far too numerous to mention.

The fundamental elements of the process, however, have involved such complex pieces of negotiation as the negotiation and implementation of the Four Power Agreement on the status of Berlin in divided Germany, the mutual and balanced force reduction negotiations in Vienna between the countries of the NATO Alliance and those of the Warsaw Pact, the Conference on Confidence and Security Building Measures and Disarmament in Europe, also known as the CDE and sometimes called the Stockholm Conference, and the follow-up to all the lofty goals of the three baskets of the Helsinki accords involving: (1) security in Europe; (2) East-West cooperation in the field of economics, science and technology and the environment; and (3), East-West cooperation in humanitarian and other cultural and educational fields.

Today's hearing, it seems to me, has chosen to focus on only one element of the CSCE and Helsinki process: that of human rights in the Soviet Union. I suggest that that is among the most important problems, but, should we focus on that to the exclusion of the others, we would tend to begin to think of the Helsinki accords and the Helsinki Final Act as only being a process of human rights and then you'll have the arrogant Mr. Gorbachev saying that human rights are no problem for the Soviet Union.

And, there are a lot of other problems, all of which come to bear on this very same issue and lend sustenance to the arguments that we wish to make about human rights as well as lending sustenance to the arguments that we wish to make about Major Nicholson, to the arguments that we wish to make about not being notified of the military exercises. And, so I ask us all to remember that the Helsinki process and the Helsinki accords were a fixed dimension of agreement, none of which the Soviet Union has fulfilled.

The violations of human rights in the Soviet Union, in fact, have constituted the most blatant violation of the Helsinki process by the Soviet Union during the past 10 years since the signing of the Helsinki Final Act. Is it that the Soviet and East European noncompliance with the other major goals of the process has been so blatant that it has not been worth trying to cover that in the hearing this time? I think that's not the case, but I'm asking that we look down this road.

I assure you that in no way do I wish to downplay the outrages of Soviet human rights violations whether covered by the Helsinki accords or not. The record on this stands for all the world to see, and I welcome the opportunity to have it aired once again here today. But, I must ask us all whether we should not also be thinking about the record of the Soviet Union in all the other fields covered by the CSCE process.

Have we made any progress at all in the past 10 years in the MBFR negotiations in Vienna? Why is it that after 10 years of intensive negotiations on reducing forces in Central Europe the NATO nations have been unable to obtain Warsaw Pact agreement on such basic definitions as what forces under which conditions are to be subject to the negotiations at those talks? Should we not be asking ourselves whether it is worth continuing the MBFR talks in

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Vienna with the Warsaw Pact countries if we have made so very little progress there in 10 years—an entire decade?

It seems to me that we should be asking these questions of the Soviet Union and its Warsaw Pact allies in 1985, the year of the 10th anniversary of the Helsinki Final Act. Do they ever really intend to reduce forces in Central Europe through those Vienna negotiations, or are they simply keeping the United States and its NATO Allies talking there while they continue their build-ups, as usual, and is not that a violation of the human rights of the free peoples of Western Europe?

I ask you also to ponder the question here today as to whether they have made any real progress at the Stockholm CDE Conference. Are we any more confident today than we were 10 years ago that the Soviet Union and its Warsaw Pact allies really want progress in Europe on such fundamental questions as the self-determination of peoples—witness Poland—or the inviolability of frontiers—witness certain East German activities on the West German border every day, and just this week with the Czechoslovakian fighter firing on an American helicopter. With respect to human rights and fundamental freedom provisions of the Helsinki accords, I must ask you to ask yourselves whether we are any better off today in our dealings with the Soviet Union and Eastern Europe—all these questions—than we were 10 years ago, or has the Soviet Union used the CSCE process as a way of keeping us talking at negotiating tables around the world while the Kremlin quietly pursued its own objectives, as usual.

Has the existence of the Helsinki accords enabled us to assist the Sakharovs, for example? Have the agreements made any difference in what we are able to do for the people like Balys Gajauskas, a former Helsinki monitor in Lithuania and now in his 33d year in a Soviet labor camp for his involvement in human rights activities?

Has the existence of the Helsinki accords really made any difference to East German treatment of its citizens who wish to emigrate or to travel to the West to visit relatives? Is the plight of Soviet Jews better in 1985 than it was 10 years ago?

My friends, I ask us to consider these questions during this review of the CSCE process here today and to think about whether there is a point at which the United States can declare the process as a failure until such time as the Soviet Union and its East European allies begin to relate to us by deeds rather than words that the Helsinki accords mean anything more to them than the paper upon which they are written.

Thank you.

Chairman D'AMATO. Thank you, Senator Wallop.

Let me also pose as a possibility that it would seem to me to be appropriate for this Commission to undertake at least one hearing to look into some of the important questions that you raised. Such a review may not be pleasant when we see the truth in contrast to what has actually taken place in these areas. Indeed, a review of the issues of force reduction and national self-determination is really within the role of this Commission as much as any other area within the scope of the Final Act, including human rights. We can examine what is taking place in these areas.

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And, I would propose to my cochairman, Congressman Hoyer, that our staff examine the possibility of such a hearing and such a review.

Mr. WALLOP. Mr. Chairman, I was hoping that because I think they relate—the point I'm trying to make here is that as we focused on human rights, a lot of people in Europe and who like to hide from the truth and give great credence to the argument of moral equivalent must be able to be forced into the view that it was more than just that that is in violation because then it gives much more credence to the human rights argument as well as the human rights argument gives much more credence to the rest of them.

This is an undertaking that nobody forced the Soviet Union and the Warsaw Pact countries into. We didn't. There wasn't a nuclear threat hanging over them that if they didn't do this, they would be annihilated or anything. Of course not. This is something that they willingly accepted that has been fundamentally unable to agree to any part of their undertaking.

So, I think that part of our conference is to continue to highlight the bold arrogance and the whole humiliating process to which they put the West as we try to do our job in living up to undertakings which we've, I think, adhered to.

Chairman D'AMATO. Thank you very much, Senator.

Our first witness is Rita Hauser on behalf of the International Parliamentary Group for Human Rights in the U.S.S.R.

Ms. HAUSER. Thank you very much, Senator D'Amato, and Congressman Hoyer, Senator Wallop.

This is a great opportunity for us and others who will give testimony here on the question of human rights in the Soviet Union. Parenthetically, I would like to express my own agreement with what Senator Wallop just said, and I think the review process ought to be far larger than just the Basket III questions.

The International Parliamentary Group for Human Rights in the Soviet Union, which we refer to in shorthand, IPG, is a voluntary association of parliamentarians from North America, Western Europe, Israel, and other countries who are committed to increasing public awareness of the human rights situation prevailing in the Soviet Union, and to attempt to help redress the situation whenever possible to do so.

IPG monitors and reports on abuses of human rights within the Soviet Union and responds appropriately through action within the parliaments, governments and other public organs of its members.

Cofounders of the IPG in the U.S. Senate are your colleagues, Charles Grassley of Iowa and Dennis DeConcini of Arizona, and in the House of Representatives, John Edward Porter of Illinois and Tom Lantos of California. They have been joined by a very large number of their colleagues from both Houses of the Congress.

The International Advisory Board of IPG is in the process of formation. It comprises distinguished private citizens in all these countries who are active in human rights matters. They come from all professions and they include, among others, Dr. Arthur Burns, William Simon, Zbigniew Brzezinski, Richard Allen, Dr. Jacqueline Wexler, Lawrence Eagleburger and many others of renown.

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I have the honor to serve as the chairperson of this Board, which gives support and advice to the IPG in all its multiple activities. As just personal identification, I am a senior partner in a New York City law firm of Stroock, Stroock & Lavan; the firm now reaching its 110th anniversary. I specialize in matters of international and corporate commercial law.

I served as U.S. Representative to the U.N. Commission on Human Rights from 1969 through 1972; as a member of the Board of International Broadcasting; member of the State Department Advisory Panel on International Law; and I have been a delegate to various international conferences dealing with human rights.

IPG is most gratified that your Commission is holding hearings to determine the meaning and value of what is known as the Helsinki process; that is, the continuing review of compliance by the signatories of the 1975 Final Act of the Conference on Security and Cooperation in Europe, the CSCE. A 10-year span of time seems fitting to take pause and assess the events of the past decade as measured against the human rights standards and provisions laid out in the Helsinki Final Act, which we collectively, as far as human rights are concerned, refer to as Basket III and Principle VII.

It is especially opportune to review these events on the eve of the summit meeting between President Reagan and General Secretary Gorbachev. I would agree with all of the three of you that it is a lamentable fact that in the entire East European bloc, human rights are observed essentially on paper. State control of all aspects of life remains intense with only minor variations, and the freedoms we assume as normative in a democratic society are only a very distant dream for the citizens of these nations.

Nowhere are human rights more systematically violated than in the Soviet Union. The right to practice one's religion, to be united with family outside the country, to organize peacefully to protest government controls, to publish freely, to gain access from information abroad—all of these freedoms are virtually nonexistent in Russia today.

Because of this continuing situation, critics of the Helsinki process have concluded that it is a mockery, and that the United States should denounce it as such and refuse to participate further in review conferences or meetings of experts in preparation for the review conferences. Were this to occur, in our view, the Soviet Union would be rid of a most serious knife in its armor. It would be spared the need to defend its failures in an open, public, and highly publicized forum virtually every 2 years.

The victims of Soviet oppression would be denied the one significant avenue of hope that remains to them, which is the force of public opinion and knowledge of Soviet violations. With this comes pressure brought to bear by Western delegates as to specific cases, specific individuals often in great distress, and as to systemic violations of internationally accepted human rights standards. The curtain of silence would descend and the Soviet Government would then be free to dismiss or ignore all charges of violations with utter impunity.

I need only to point to your attention, gentlemen, what has happened in the last 2 days, on the television on "Night Line" and in

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France where Secretary Gorbachev was obliged to respond to questions of journalists on these very points. And while we were not satisfied with his responses, it seems to me it's far better he be obliged to respond and face the opprobrium that comes after his unsatisfactory responses than to be able to retreat into this silence of no requirement to respond to anything because the process has been terminated.

Chairman D'AMATO. I watched the news when the question about the 4 million political prisoners was asked, and I watched Mr. Gorbachev's response in which he said "you, a cultured gentleman"—et cetera—"should be ashamed of yourself, and I resent you putting that ridiculous question to me." I'm paraphasing the question and response. Do you really think it made a dent? Do you really believe that we're carrying the message in terms of the violation of human rights? Have we been so conditioned that we say "the Soviets are going to do this," "we understand they're going to do this"? It seems to me that the cries of those who speak for the dissidents, for those who have been crushed or who are in the process of being crushed by Soviet oppression, or who have their rights systematically violated, grow more muffled. There are fewer in the media who report them. Even when reported, their fate draws less attention from the public. In Western Europe the Soviets have achieved their objectives. They even have a government that says—the French Government—"you're not allowed to protest. We don't want to embarrass Mr. Gorbachev." So——

Mr. WALLOP. And curious how little they restrained those that demonstrated against President Reagan who has, at least, a similar rank.

Chairman D'AMATO. For the benefit of those who did not pick that up on the microphone, my colleague, Senator Wallop, makes an interesting point. We don't see the demonstrators blocked or the demonstrations prohibited when protests are aimed at President Reagan.

Now, why the dual standard? Are we only talking to ourselves in this process? I'm the chairman of this Commission. I think we have important work. Are we going about it the right way? Have we failed in our mission?

Ms. HAUSER. No, I don't think that at all, Senator. In fact, responding specifically to your question, let me say that IPG, for example, working with our French parliamentarians, the French IPG Commission, they made a call upon President Mitterand and they asked him specifically to address to Gorbachev the question of the whereabouts of the Sakharovs. And, in his welcoming remarks, which were public and on television, Mitterand did raise the question specifically by name of the whereabouts of the Sakharovs. Gorbachev chose not to respond, but the issue was put on the front burner.

When Gorbachev is on the television giving an answer, which to those in the know is so remotely far from the truth, he does two things: I think he brings out very clearly to sophisticated people the opprobrium that must be borne for the Soviet Union's failure to meet even minimal standards. We reject as utterly unrealistic that which he says about conditions——

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Chairman D'AMATO. Now, let me stop you at that point—I want you to expand upon your use of a word. You said Gorbachev brings out to sophisticated people?

Ms. HAUSER. Yes.

Chairman D'AMATO. Well, let's stop here. Let us analyze what you mean. Who are we talking about when we say sophisticated people? How many people? What percentage? Does the general public really have an understanding of Soviet violations, or have we been so conditioned that it's old news and we really don't care? Suppose I were to suggest to you that it would appear to me that the general public and the media just don't care? The subject of Soviet human rights violations is just not sensational. So what? Though you yell "where is Sakharov?", and you could recite a whole list of victims of Soviet violations, the Soviets say "look, we know that over a period of time your interest is going to wane. You can't sustain any credible public reaction against what we do. We shoot down a plane, KAL 007, but we can create serious controversy by saying that maybe it was a spy plane or by asking if it even happened?" Is the Soviet destruction of KAL 007 alive in the memories of people today. Do they remember what happened? What I'm saying really, is you say Gorbachev indicts himself with sophisticated people. Well, what effect does that really have?

Ms. HAUSER. Well, I would suppose as an answer there is a sophisticated public opinion that understands what are the facts and reality in the Soviet Union.

It's your job, Senator, your Commission's job, and our job collectively in the human rights community, to address what I'll call the nonsophisticated community and let them learn and understand what are the facts and the reality of the Soviet Union. That's why you hold these hearings. That's why you do your work. That's why you publish the admirable findings of facts periodically which tell people what exactly is happening in the Soviet Union.

Let me answer you with a question: How would the situation be better if we dropped out of this process and failed to——

Chairman D'AMATO. Now, now, now—Ms. Hauser, you're a distinguished lawyer. Don't suggest that I would withdraw from the process because I have been quite adamant in my rejection of that approach. You know my view is and has been that we certainly should not dropout of the Helsinki process or turn our backs on it. That has been my position ever since I've been a member of this Commission. I've been very vigorous in that view. Let's not suggest that I would support United States withdrawal from the process.

I don't believe we've been successful in conveying the message to the general public about Soviet violations of the human rights provisions of the Final Act.

The same sophisticated people come over here and talk to each other. Maybe the press has become so sophisticated as well that they are part of the business of suppressing what's taking place. I don't think there is nearly enough coverage on the issue of deprivation of human rights behind the Iron Curtain in the Soviet Union, and in the Eastern bloc nations, or on the issue of the other violations that Senator Wallop referred to in his remarks. Maybe we've got to touch a raw nerve. We need to talk about some of the things that may generate some interest and maybe some feeling of con-

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cern in the general public by looking at Soviet violations of the Final Act across the board.

Ms. HAUSER. I couldn't agree with you more that the process that we have to continue, of education of the public highlighting the violations, must go on without any limitation. And, while I use the term "sophisticated," "nonsophisticated," I think among the general public there is a far greater awareness of Soviet violations than perhaps you may be appreciating.

In my travels around this country and in speeches to a multitude of organizations, I find a large number of people know in the gross that the Soviets have systematically violated the human rights provisions of the U.N. Charter of the Universal Declaration of Human Rights and the Helsinki accords. I don't think there's any lack of knowledge on that.

The difficult problem is how to compel the Soviets, if compel is the right word—how to coerce, compel, induce them to live up to the standards that they have, as Senator Wallop noted, quite willingly accepted.

Chairman D'AMATO. Well, let me ask you a question. Do you think there will be any public reaction or any governmental response if we, the United States of America, ignore the fact that maybe $200 million a year worth of slave labor produced goods are imported from the Soviet Union every year?

Can we credibly say to the French and to other governments "you should live up to your responsibilities," if we make a mockery and a sham of our own law? What are we doing? Where are the sophisticated people? Why won't they say anything about that? Why don't they make public efforts to get the U.S. Government to enforce section 307 of the Tariff Act of 1930, Ms. Hauser?

Is it because it becomes politically embarrassing? Is it because we've adopted a policy that if we raise these human rights issues on one hand, we might have trouble talking to Gorbachev, on the other hand? We see this time and time again.

I raised the issue of slave labor. My cochairman, Congressman Hoyer, has been very active on this issue. Do we maintain mythical standards of behavior? We talk about human rights and yet we import slave labor produced goods from the Soviet Union. Then, we have a policy under which we don't enforce the law. What kind of message are we sending to the Soviets? Are we serious?

Don't we at some point in time have to be a little more aggressive in our policy?

Ms. HAUSER. I don't have any quarrel with what you're arguing, Senator D'Amato, and I think that——

Chairman D'AMATO. Have you pressed for the enforcement of that law?

Ms. HAUSER. We have not particularly, IPG——

Chairman D'AMATO. Well, shouldn't IPG do that? Is that not something that goes right to the heart of this problem? What I'm trying to say is that, while it's nice to come and talk about human rights at hearings like this, we have here one of the classic examples of human rights violations, yet what do we do? We have a law on the books. Will we tolerate continued importation of slave labor produced goods coming into this country? Shouldn't IPG be doing something about that?

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Ms. HAUSER. You've raised a very valid point, and we'll put it on our agenda for discussion. We have not been focusing on that at the moment, but we certainly support the general tenor of what you're saying; and that is, that there has to be continual pressure on the Soviet Union at all times, in between conferences, in between review sessions. And we had hoped, particularly by parliamentarians and we think a good place to do that is with their own governments.

The problem is more acute in Europe, if I may say so, because there is not as active a public body of opinion as we are accustomed to in this country, organizations that demonstrate and bother their parliamentarians to do something. So, we have tried to get the parliamentarians motivated themselves.

We believe public support must continually be rallied on behalf of the Helsinki process. For example, IPG submitted far-reaching suggestions for improving compliance which were incorporated into the Western proposals that were made at the recent CSCE human rights experts meeting in Ottawa.

That meeting included a frank and thorough discussion of Soviet performance as to human rights, with reference to specific cases of noncompliance with the Final Act. IPG strongly affirms its view that the Helsinki process affords the only viable international forum for candid discussion of Soviet failures of performance. And, we have strongly urged unity among the Western nations at future CSCE meetings as to both substance and procedure in dealing with Soviet violations of the Final Act. The report of the meeting of experts at Ottawa was most gratifying in that 17 Western nations agreed to a framework for human rights in the Helsinki process known as OME-47.

We are deeply concerned that this framework become in fact the ongoing Western policy for future CSCE meetings, and we intend to work through our parliamentary members to press their governments to adhere to this framework.

We would urge this Commission to ascertain whether the United States and its Western allies are truly prepared to accept this framework so that a united Western position may be anticipated at the Vienna Review Conference. One of the great difficulties we have is often disunity among the West as to the correct strategy and approach to be taken.

IPG will hold a leadership conference with parliamentarians from many Western countries in attendance at Ditchley Park in England late in May 1986 to assess a common Western strategy for the Vienna Review Conference. We will determine whether the Vienna Conference should place stress on the adoption of another concluding document and recommendations, which, of course, as you know, requires the unanimous consent of all the CSCE signatories, or alternatively, as many of us believe, whether Western activities at the next review conference should focus on specific acts of noncompliance with Basket III of the Final Act.

Many of us believe that the Helsinki process will remain credible only if concrete results can derive from the review conferences. There I share Senator Wallop's view thoroughly.

We understand as a realistic matter that the Soviet Union is not prepared to adopt in whole or significant part the measures that

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would bring it into substantial compliance with the provisions of Basket III and Principle VII. But, we also believe again as a realistic matter that it can be persuaded to mitigate its worse defenses and to ameliorate the situation of those who suffer the most from its violations.

Cooperation in the fields of economics, science, technology, the environment, as well as progress in reaching agreement on confidence building measures in the military-political spheres requires improvement in the human rights performance of the Soviet Union and its Eastern bloc allies.

All the baskets of the Final Act are inexorably linked, and Basket III is the linchpin for a civilized relationship among the CSCE signatories.

IPG will work to support the Helsinki process, Senator D'Amato. We intend to promote public awareness of human rights violations in the nations of our members, we will use all our collective strength to enhance the freedom of those in the Soviet Union who suffer most cruelly from oppression and neglect.

In this respect, we would ask you as the CSCE Commission to use your own influence to try to find out the whereabouts of the Sakharovs. They have not been heard from for many, many months and their family members outside the Soviet Union have grown very, very disquieted and fear as to the physical existence of the two.

We want to thank you very much, Senator D'Amato, and your colleagues, for the opportunity to present our views, and we thank you and your colleagues as well who are members of IPG for all of the support that you have given to this activity among parliamentarians.

Chairman D'AMATO. Thank you very much.

Congressman Hoyer.

Cochairman HOYER. Thank you very much, Ms. Hauser, for your statement and for the byplay that you had with Senator D'Amato. Clearly there is the controversy on how best we can make our point, and clearly, there is frustration that all of us feel about the fact that an agreement signed 10 years ago is recognized on paper and not in reality by certain of the signatories. It has been repeatedly stated that there is a need for balanced progress, and you spoke to that as well as Senator Wallop.

The point being made is that we cannot move forward in one of the areas covered in the CSCE without forward movement in other areas.

My question is, do you think that U.S. policy in the last 10 years has been based upon that need for balance?

Ms. HAUSER. It has, from time to time. It's ebbed and flowed in different rhythms depending upon external circumstances. I personally believe that as I said, all the baskets are inexorably linked. I don't think you can induce the Soviet Union—can make progress in the human field unless they feel in return that there's some progress in areas they care about; economic and scientific exchange in particular. It's a give and take on both sides.

And, I would like to see more of that kind of "bargaining," if that's the right word, take place at Vienna. I think the Soviets are at a turning point in their own society from all I've read of recent

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time. Their economy is in dreadful shambles. They are looking for some external assistance. I think they have a great desire to get from the West what we can reasonably give to them, and I think they can be induced to make some of the kinds of ameliorative changes that we're interested in, the area of human rights.

That sounds somewhat cynical that one has to bargain human conditions for other things, but I believe that that is the essence of the process, and in many ways, the genius of the Helsinki Final Act.

Cochairman HOYER. In point of fact, that's one of the points that Ambassador Schifter made in one of his major presentations in Ottawa. The Soviets, and other East bloc nations in effect, hold hostage their own citizens to be used as bargaining chips in their dealings with the West.

Ms. HAUSER. I don't think there's any doubt about it, that all the exhortations in the world have not moved the Soviets. I'm a very pragmatic realist in this business. I think that all you can look for is very minimal improvements in the conditions of those who suffer the most, and everyone of those improvements is a plus on our agenda. If it were otherwise, if one could simply make speeches and exhort the Soviet Union to change its ways, we would all be on the bandwagon doing that. We have spent 10 years in exhortation. They don't change easily.

Therefore, I think we have to find pragmatic ways of inducing them to make some of these changes, if for nothing else, for the well-being of those who are the victims of their processes.

Cochairman HOYER. Thank you. One last question, Mr. Chairman, which emanates both from Ms. Hauser's testimony and from some of your questions. Ms. Hauser, you commented upon, and I think your organization is in a particularly good position to address this issue, the differences between the European focus on human rights, and United States focus.

It has been stated that the United States focuses more directly than our allies. First of all, what is your observation and, second, if they're not doing the kind of job that we think they ought to be doing, how can we heighten the issue of human rights?

Ms. HAUSER. Some of the European countries have begun to develop a kind of public consciousness similar to ours. There's been much more activity in France in the last few years than we had ever seen before for a whole host of reasons. The demonstrations of this week were a classic example of it, and England as well.

In some of the other countries there's very limited, very quiet activity, but limited activity by churches and other organizations on the question. Therefore, we have tried through IPG, through our parliamentary members, to use them as the focus of bringing pressure to bear on their governments. And, after all, IPG encompasses members from all the parties, left to right, with the exception of the extremists on either side.

We have found that to be the most fruitful way. Mitterand had to receive the parliamentary delegation that asked to meet with him on the question of what would be the position he's going to take with Gorbachev on the human rights issues. And, as I noted earlier, particularly publically raise the issue of Sakharov. What he will raise privately, I don't know. In the same way, that we're

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exhorting President Reagan to take up these same issues with Gorbachev at the summit.

So, I think that the pressure from the parliamentarians is most significant, and we hope in that way in Europe to try to get the private organizations to take a more public posture that's not their general manner and practice as it is here.

Cochairman HOYER. As a followup to that, are you urging the formation of any groups similar to ours in other European nations?

Ms. HAUSER. You mean a CSCE Commission or——

Cochairman HOYER. Yes.

Ms. HAUSER. It would be most desirable, and in fact, within the parliaments they have formed within Germany, and England, and France. They have formed commissions, committees—whatever their name is—directed to this process, and some of the most active members are those who are key figures within the parliaments of the country, often delegates to the review conferences and they have been singularly involved.

They also have a lot of information. They're able to pick up news through the grapevines in Europe of what is happening within the Soviet Union and Eastern Europe. We find it's a very concerted effort.

To get to something Senator Wallop said, I think we can unite the parliamentarians all over on the questions of human rights. It would be harder to unite them on some of the other issues where there are some real substantive differences of view on the other baskets. And, I don't know, as a practical matter, whether you should try to link them as tightly as you would because I'm not sure we would get a complete Western unity.

From our point of view, I think that the Vienna Review Conference, the single most important thing is to have a united Western front on substance and procedure concerning particularly Basket III and Principle VII, because now I speak for my—as my own personal view, I feel very strongly. I think we have written all the documents that need to be written. We have all the acts and all the substantive standards, all the body of law that's required.

What we now have to do is take that and apply it in a practical and a realistic manner. I would like to see the West at the next review conference press for specific changes, specific cases, specific charges. If we do it in a concerted way, I believe the Soviets will have to address it in some manner. They are unable to escape the pressure of the forum in which they are present.

That is clearly, in the end, the most significant element of the Helsinki process. They are there and they simply must address the question. Senator D'Amato, the answers that Gorbachev gave to the French journalist, which is everything is a paradise in the Soviet Union as far as Jews are concerned, there are no political prisoners and some of the other stuff that he said, that doesn't pass muster within a review forum. I'm sure it didn't pass muster with the French journalists. But, he can't get away with that kind of stuff in a——

Chairman D'AMATO. Well, I would suggest to you that he's getting away with it.

Ms. HAUSER. You mean in the general body of public opinion.

Chairman D'AMATO. Absolutely.

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Ms. HAUSER. Well, that's where we need our own responses. That's what I would——

Chairman D'AMATO. Gorbachev is obscuring the facts and he is getting away with it. I think he got away with it the other night. Now, that's my assessment. Now, if you differ with it, everybody has the right to make their own assessment.

Ms. HAUSER. I agree with you that we need an effective answer, and I hope we're going to get one. And, we're all meeting, as I said, with President Reagan and all the people involved in preparing him for the summit on just these questions. And, I'm sure in his opening statement he's going to respond to some of these very points—maybe not point by point, but he's going to address the question of human rights in some manner. We have been assured of that.

Cochairman HOYER. May I ask one last question? For the record, is it fair to conclude that each of the members of the advisory board of IPG ascribe to the statement that has been made by you on behalf of IPG?

Ms. HAUSER. Oh, yes.

Cochairman HOYER. Your statement then represents a board position?

Ms. HAUSER. Yes.

Cochairman HOYER. Thank you very much, Mr. Chairman.

Chairman D'AMATO. Senator Wallop.

Mr. WALLOP. Mr. Chairman, Senator Heinz has asked me if I would yield to him for 3 minutes for questions——

Mr. HEINZ. I would like to commend you, Mr. Chairman, and you, Congressman Hoyer, for convening this hearing. I want to thank and congratulate all our witnesses, including Rita Hauser. I trust we will get to the other witnesses as well and let Rita off the stand. I have a question, but I want to observe that in line with what Senator D'Amato said before I arrived is that the media coverage in this country, but even more so in Europe, does not amply stress the systematic deprivation of human rights in the Soviet Union.

In this country, if one thief or mugger is arrested and his rights are violated or he is a victim of alleged police brutality, it is on the front page or at least the front of the second section of the New York Times, or the Post, or the Pittsburgh Press, or the Punksatony Herald. When nations behind the Iron Curtain refuse hundreds of thousands of people the ability to reunite with families to speak freely, to emigrate, or as the Soviet Union does, seeks to erase practically every vestige of a culture and religion (Judaism), it gets mentioned once in our press and then seems to fade away.

One of the issues that will be faced at Vienna has to do with the question you raised as to whether the conference should stress the concluding document which requires unanimity, or whether Western activities should focus on specific acts of noncompliance. I've just been talking about, Basket III in the Final Act.

Let me just ask you why it is not possible to do both?

Ms. HAUSER. I suppose you can, but the first task of getting a document, as you know, requires unanimity. And as a result, the Soviets are able, as they did in Madrid, to stall a conference that should have gone 3 months to 3 years, until I suppose out of sheer

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exhaustion, the parties finally agreed to a document that provided some good things—reviews and the rest.

But, I would argue that in the price you have to pay to get unanimity, the concessions you have to make to get everybody to sign-off on the document, energy would be better spent in focusing on specific violations and specific compliance. That happens to be a personal view. It's one which we're going to be discussing with parliamentarians, with the State Department as the strategy unfolds for dealing with Vienna.

Mr. HEINZ. My recollection of the lengthy process at Madrid, which you have described, and we had Ambassador Kampelman come here on many occasions to brief the Commission, was that the Soviet Union's intransigence on agreeing to any concluding document, because of their concern about what would be in that document on Basket III, was in fact an opportunity to administer a propaganda beating to the Soviet Union, particularly in Western Europe where public consciousness comes and goes. It goes more quickly than here.

Is that not a way of having our cake and eating it too?

Ms. HAUSER. It is, Senator, and I think it's a legitimate question of tactics. But, in here I said I speak for myself because we really haven't reviewed this thoroughly within our own organization. I personally think that my own experience in the United Nations leads me to this. We had the charter and we had the Universal Declaration of Human Rights that the Soviets are always deflecting efforts to try to deal with specifics by coming up with a new text for a new declaration, for a new thing. It's very easy for them to subscribe to pieces of paper, which they then proceed to ignore. I think that the time has come to try to get their feet to the fire on specifics and to do some horse trading, if horse trading is conceivable to be done within that context.

Naturally, one should strive to get a consensus if you can, but I have my serious doubts that we're going to be able to achieve any more consensus document at the next review.

Mr. HEINZ. Ms. Hauser, I wanted to thank you for the reply on that. I also want to especially thank Senator Wallop for yielding. The only observation I am able to make is that I think that our failure to do a better job of highlighting this issue in all the Western countries is actually demonstrative of the success of Soviet propaganda and misinformation which enables them to get the world to focus on other issues, arms control, SDI, U.S. deployment of European missiles after the Soviets have deployed two or three or four times as many SS-20's. I must say I am always somewhat amazed at the ability of our free press in the West to be somewhat deluded by others.

I thank you, Senator Wallop, for your help.

Cochairman HOYER. Thank you, Senator.

Senator Wallop.

Mr. WALLOP. Thank you, Congressman Hoyer.

Ms. Hauser, I—with the greatest respect for the efforts that you make and your group—have to express my just abstract dismay at the approach that you're taking. The sophisticated people are the ones who come here to testify and who already know the facts. And the press either has no sophistication or successfully suppresses it.

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You're suggesting that we can get unanimity, and I don't quarrel with that. But indeed, 35 nations did sign that and there was linkage and they knew it. It was the whole purpose that these things be linked, and if other nations want to be a party to the moral equivalent to the Soviet Union, I say "so let them be."

Where I get so upset is this part of your statement which I think is typically Western, not typically American, but typically Western:

> We also believe, again as a realistic matter, that it can be persuaded to mitigate, not eliminate, its worse defenses, and to ameliorate, not stop, the situation of those who suffer most from its violations.

To do that, you suggest we do a little horse trading. And then, we have traded all the horses in the barn and nothing has changed. There was a whole decade of scientific exchanges, agricultural exchanges, and conferences, and everything else, and they continue to do what they do. And, the linchpin as you suggest was, frankly, not that. The linchpin was the linkage. And, we have faded on that.

Even this year, Dr. Press on behalf of the National Academy of Sciences, has signed a new agreement of scientific, and technological exchanges. Miles Olberg went over there and said: "I've got an agreement for exchanging among other things, agricultural expertise," which the United States needs like a drought, Soviet agricultural expertise.

We've done that; invariably is there any response. And, the only thing that you're asking is, your group is asking is that we mitigate and ameliorate, and I don't think that's enough to ask and I don't think it's enough to expect. If we're to be a party to this, I would ask us all to begin to examine what good has happened.

In Ottawa, only one paper stayed there. Westerners who were in there succumbed to the Soviet demand that those meetings be held in camera, and their statements that were made outside were likely not reported to the world, and barely reported to this country; and, we're all party to the biggest damned charade. It is so immoral, and we keep thinking that maybe we can get them to mitigate and ameliorate, and we have lost the principle upon which we signed this in the first place.

If we're going to be serious about these things, then for goodness sakes, let's not worry about whether everybody signs on a final statement, but let's express what it ought to be if it were to be abided by, as we all said it would be, and our intentions and our understanding of it was when we signed it. We don't need France to agree with us, and we don't need Britain, and Germany, and Belgium, and all those other places to agree with us. We need to stand for what we did it for when we did it or it's a totally immoral stand.

Ms. HAUSER. Well, I very much respect your view. I think we just differ, somewhat, on strategy. I will remind you during the decade there was a time when the performance, never good, was somewhat better than it is today. There was a period when there was more emigration. There was a loosening of certain oppressive tactics, a great deal about-turns on domestic internal politics of the Soviet Union that——

Mr. WALLOP. So, it's a thing that's not related to the facts.

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Ms. HAUSER. But, you know, Senator, in an imperfect world, you deal as best as you can. I wrote those words carefully—"mitigate and ameliorate"—because I don't believe that we are able to totally change their procedures, their systemic view of the human being as a dispensable character on behalf of the state. That's a given fact.

And, I think as a practical person, you want to see some mitigation and some amelioration because it makes a difference to those people who are the victims.

Mr. WALLOP. If our expectation is words as soft as that, our achievement will be something softer still. If our expectation is something more seriously designed to fit our commitment, we might get some mitigation and amelioration and not be satisfied, nor should we be.

Cochairman HOYER. Senator, do you have any other questions? Senator Wallop.

Mr. WALLOP. No.

Cochairman HOYER. Senator Humphrey.

Mr. HUMPHREY. Thank you, Mr. Chairman.

I'd like to insert my written statement in the record.

[The following is Senator Humphrey's entire written statement for the record:]

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STATEMENT OF SENATOR GORDON HUMPHREY

ON THE CSCE PROCESS

before the

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

October 3, 1985

MR. CHAIRMAN:

I WOULD LIKE TO COMMEND YOU ON CONVENING THIS HEARING TO REVIEW HOW THE CSCE PROCESS CAN MOST EFFECTIVELY ATTAIN ITS GOAL OF TRUE SECURITY AND COOPERATION IN EUROPE.

THE OCCASION OF THE TENTH ANNIVERSARY OF THE SIGNING OF THE HELSINKI FINAL ACT HAS GIVEN US THE OPPORTUNITY TO REVIEW OUR PROGRESS IN RELATIONS AMONG THE MEMBER NATIONS, AND REEVALUATE THE FUTURE OF THE HELSINKI PROCESS.

UNFORTUNATELY THE HELSINKI PROCESS HAS FALLEN FAR SHORT OF THE GREAT EXPECTATIONS FOR ITS INSURANCE OF "SECURITY AND COOPERATION IN EUROPE." THE EIGHTEENTH SEMIANNUAL REPORT ON THE IMPLEMENTATION OF THE FINAL ACT IS FILLED WITH A LITANY OF SOVIET AND EAST BLOC VIOLATIONS OF THE LETTER AND SPIRIT OF THE FINAL ACT. NEEDLESS TO SAY, NOWHERE IS THIS FLAGRANT VIOLATION SO EVIDENT AS IN ITS INVASION AND CONTINUING OCCUPATION OF AFGHANISTAN, WHERE THE MOST EGREGIOUS FORM OF GENOCIDE IS BEING PRACTICED ON A DAILY BASIS.

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MR. CHAIRMAN, A RECITAL OF THIS CLEAR EVIDENCE OF SOVIET DISREGARD FOR ITS SIGNATURE ON THE FINAL ACT, AND ITS COMMITMENT TO ITS MEMBER NATIONS DOES NOT FORCE ME TO THE CONCLUSION THAT THE HELSINKI PROCESS IS WITHOUT MERIT. ON THE CONTRARY, I BELIEVE THAT THE PROCESS OF NEGOTIATION, MEETINGS, DIALOGUE AND AVENUES OF COMMUNICATION ARE USEFUL AND EVEN NECESSARY. HOWEVER, I BELIEVE THIS PROCESS IS ONLY HALF THE STORY.

IT IS IMPOSSIBLE TO ATTEND THESE INTERNATIONAL FORA AND CONVINCE THE SOVIETS THAT WE ARE COMMITTED TO THE HUMAN RIGHTS OF SIGNATORIES AND NON-SIGNATORIES TO THE FINAL ACT, THAT WE ABHOR AND WILL NOT TOLERATE THEIR INVASION OF AND GENOCIDE IN AFGHANISTAN, THAT THEIR TREATMENT OF SOVIET JEWRY IS UNCONSCIONABLE AND THAT PROGRESS IN OUR RELATIONSHIPS IS CONTINGENT UPON IMPROVEMENT OF THEIR HUMAN RIGHTS RECORD AND ADHERENCE TO THE ACCORDS, WHEN WE FAIL TO COORDINATE OUR FOREIGN POLICY TO BRING THAT POINT HOME.

MR. CHAIRMAN, IN THE PAST SIX YEARS SINCE THE INVASION OF AFGHANISTAN, THE DOWNING OF THE KOREAN AIRLINER AND THE MURDER OF MAJOR NICHOLSON, I HAVE WITNESSED A RESUMPTION OF NEGOTIATIONS, TRADE RELATIONS AND DIALOGUE IN MANY AREAS THAT WERE ELIMINATED AS RETRIBUTION FOR THE INVASION OF AFGHANISTAN. A CABINET SECRETARY HAS TRAVELED TO THE SOVIET UNION TO RESUME COOPERATION, AND EXCHANGES OF ALL TYPES HAVE BEEN INCREASED. MR. CHAIRMAN HOW CAN WE EXPECT THE SOVIETS

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TO BELIEVE WE ARE SERIOUS ABOUT OUR COMMITMENT TO HUMAN RIGHTS WHEN WE DO NOT MAKE THEIR VIOLATIONS A PART OF OUR FOREIGN POLICY DECISION MAKING.

I BELIEVE THAT A PART OF ANY DISCUSSION ON MAKING THE HELSINKI PROCESS EFFECTIVE MUST INCLUDE A DISCUSSION OF HOW VIOLATION OF THE LETTER AND SPIRIT OF THE ACCORDS IS RESPONDED TO IN OUR FOREIGN POLICY.

THANK YOU MR. CHAIRMAN, I LOOK FORWARD TO HEARING THE VIEWS OF OUR WITNESSES ON THIS ISSUE.

Mr. HUMPHREY. Ms. Hauser, at one of our recent hearings, Deputy Assistant Secretary for Human Rights Matthews at that time was not sanguine in his analysis of the human rights situation in the Soviet Union. He said, in fact, to quote him from the record that: "Senator"—referring to me—"I'm sorry to say that I consider it"—that is, Soviet Union rights—"a disaster and think that it has become considerably worse over the past several years." Would you agree with that assessment?

Ms. HAUSER. Yes; in the last several years, the situation certainly has turned negative.

Mr. HUMPHREY. So, it's gotten worse?

Ms. HAUSER. Yes.

Mr. HUMPHREY. And, are you here representing a group or are you speaking for yourself?

Ms. HAUSER. Representing my group and I know the views of my group, but certainly, I think everyone in the group would subscribe to that; yes, the situation has worsened in the last few years.

Mr. HUMPHREY. In the view of the International Parliamentary Group, the situation has gotten worse.

You say in your statement that the IPG monitors and reports on abuses of human rights within the Soviet Union and responds appropriately through action within the parliaments, governments, and other public organs of its members. What is the appropriate response to the situation at hand; mainly, that if the Soviet Union rights record is bad and is getting worse, notwithstanding the Helsinki accords, what is the appropriate response?

Surely words and meetings such as this, by themselves, are not the appropriate response because it hasn't made the situation worse. If anything, probably, as Senator Wallop points out, it has made the situation worse. What is the appropriate response beyond mere words?

Ms. HAUSER. I had suggested earlier that I—and I speak personally here—I think there is a linkage for things that the Soviets do

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want and that they would be prepared to trade for. There obviously are people who do not agree with that kind of an approach, but perhaps I'm conditioned by so many years of laboring in this field that I think every single, small gain is a plus on the ledger. Every person released is a plus; every prison sentence reduced is a plus; 10,000 more emigrants is a plus.

Would that one could change the whole system, but one cannot—short of armed force, and I take it that is not in contemplation here. So, you work with whatever restrictions are there and informed public opinion pressing on the Soviet Union is the only major element that we have.

Mr. HUMPHREY. But, public opinion has been put to sleep by this process——

Ms. HAUSER. Well, I disagree——

Mr. HUMPHREY [continuing]. A process where we sit down, talk about it, pullout our hair, and that's all that ever happens. Public opinion has been put to sleep. People think everything is going swimmingly. They hear about the conference in Ottawa and elsewhere and they think, well, those responsible have things under control and it's all working out beautifully.

Ms. HAUSER. Senator——

Mr. HUMPHREY. Do we do a disservice by just papering this thing over with words?

Ms. HAUSER. I don't think we paper over. I had participated in many conferences with the Soviets and foreign policy councils in there, and they are really afraid and annoyed by demonstrations in the street, by all the kind of public activity--it really gets under them, and they are concerned about it. This is a basic affront to the posture they present to the world. The more we do, the more annoyed.

Whether or not annoyance will always translate into positive action, no one can say at any given moment. If they had their druthers, they would like to see all of that activity cease, and I know that they will pay a very high price for that if they could get all those marchers pulled off in all of the countries.

Last week, in France, they went to great efforts through the French Communist Party and some elements of the Socialist Party to try to prevent any kind of public demonstration in Paris so Gorbachev has a very carefully orchestrated arrival. They got some of it; they didn't get all of it because whatever the French Government wanted to do, it could not ignore its own parliamentarians and its own people who were insisting that some measure of this be brought up.

That's the way in which you can deal in this very imperfect process with the Soviets. I have no other methodology that I can suggest.

Mr. HUMPHREY. Well, you say that the process has annoyed the Soviets, but so what? By your own admission, it hasn't resulted in an improvement. It has coexisted with a worsening situation. So what? Is that enough?

Ms. HAUSER. Well, it's—to be retortive—it's better than not annoying them because I think out of annoyance there's come positively something, somewhere.

Mr. HUMPHREY. Where?

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Ms. HAUSER. I don't know. I wish I could answer those questions. I'm as frustrated as you, as I'm sure everyone in this room is, that we can't find the perfect methodology——

Mr. HUMPHREY. Well, we're not looking for perfection. We're looking for something that works and we have yet to find it. We're not looking for perfection. We're looking for something that's appropriate. We're looking for appropriate action. Do you have any suggestions?

Ms. HAUSER. May I ask you, Senator, what would you imagine to be appropriate, short of the use of force?

Mr. HUMPHREY. Wait a minute. We ask the questions here.

Ms. HAUSER. Well, this is a very interesting and important dialog.

Mr. HUMPHREY. Well, I'll tell you then; linkage. Tit for tat. Quid pro quo. And, what is the American foreign policy? How can we possibly impress the Soviets with our sincerity and our seriousness when we've got Cabinet members trotting off to Moscow making agreements on agriculture and commerce pretending that everything is fine. There is no link. I am heartbroken as a conservative Republican to say that this administration has dissolved linkage out of existence, and that is why the Helsinki process is not working because we don't back up our actions—or words, I should say, with actions.

Don't you agree?

Ms. HAUSER. Well, that's a linkage—is it linkage carrot or linkage stick? And, I think there is a lot of legitimate dispute among all of us of the same desire there as to which one works better.

Mr. HUMPHREY. All right. We've tried linkage carrot. Has it worked?

Ms. HAUSER. Not in the last several years, no, I have to concede that. Maybe it's time for linkage stick.

Mr. HUMPHREY. I think so. You say that for the Helsinki process to remain credible, we must have concrete results, and I agree. And, we're not getting them, and something is wrong, and something needs to be fixed. It isn't going to be fixed with words, because we've tried words by the ton and it hasn't work. Believe me, I'm not trying to be unfriendly. It's hard to control one's emotions in this situation because I really believe that public sentiment has been put to sleep because we have—our actions have not been consistent with the situation.

Thank you, Mr. Chairman. Thank you, Ms. Hauser.

Chairman D'AMATO. Thank you, Senator Humphrey. On that note, first of all, let me thank Ms. Hauser for being here representing IPG and for her work and her sincerity of purpose. I point out that Senator Humphrey's last statement that "actions have not been consistent" with our rhetoric is consistent with my own views. I think public hypocrisy is something that many of us here feel does a great disservice to the Helsinki process. If we were to be more consistent in our public pronouncements and our policy we could achieve or might have a better chance of achieving some response from the Soviets over their failures, continued failures, to abide by the Helsinki accords.

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I, again, say that the epitome of our duplicity in our human rights policy is our refusal to enforce section 307 of the Tariff Act of 1930. We turn our heads and say that:

> Well, we can't really prove that the chess set was actually made by prisoner 12704 in slave labor camp 40 so we allow the chess sets to come into this country from the Soviet Union, in when we know that they are made by slave labor and that almost all Soviet products imported into the United States have a good deal of slave labor in them.

Then the CIA writes that they can't document with specificity the slave labor component of these products.

This one example demonstrates quite clearly, at least to this Senator, that we are telling the Soviets that we don't really care about the human rights issue. We talk about it. We use it to pillar them, but after a while, our own public begins to understand our hypocrisy and views human rights as a game. The Soviets certainly view it as a game. What do you think their response to our complaints is going to be if we're not really serious?

So, in area after area, human rights, the Soviet invasion of Afghanistan, or the suppression of the Polish people, the Soviets know that our responses will be minimal, we respond at all. Indeed, our usual response is just some rhetoric which they can withstand as they have in the past.

Your testimony explained well your purposeful mission. Some of our Members have identified what we see as administration failures to deal with this inadequacy in our human rights policy.

Ms. HAUSER. Well, I trust you'll present your views to the administration. I'm not speaking for the administration.

Chairman D'AMATO. Well, we stand behind the record we've made here today. We've done it before and we'll continue to do so.

Cochairman HOYER. I was just going to say I don't really feel it is incumbent upon me within this group of legislators to take the position of defending the administration, so I won't.

Chairman D'AMATO. Thank you very much.

We're running a little late, so I'm going to ask if we could please arrange those chairs so we have the next panelists come up together? Jeri Laber of the Helsinki Watch Committee; Yuri Yarim-Agaev of the Moscow Helsinki Group and the Center for Democracy; Ludmilla Alexeyeva, and Leonard Sussman of Freedom House.

Why don't you use that microphone right in front of you. Thank you for coming.

Ms. LABER. Thank you very much for asking me to be here today.

My name is Jeri Laber, and I am the Executive Director of the U.S. Helsinki Watch Committee. I'd like to read a few excerpts from the written testimony I have prepared.

[The following is Ms. Laber's entire written statement for the record:]

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HELSINKI WATCH

U.S. CITIZENS COMMITTEE TO MONITOR THE HELSINKI ACCORDS
KOMITEE DER U.S.-BÜRGER ZUR ÜBERWACHUNG DER HELSINKI-VEREINBARUNGEN
COMITATO DEI CITTADINI DEGLI U.S.A. PER IL CONTROLLO DEGLI ACCORDI HELSINKI
COMITÉ DES CITOYENS DES E.-U. POUR LA SURVEILLANCE DES ACCORDS D'HELSINKI
COMITÉ DE CIUDADANOS DE LOS EE.UU. PRO VIGILANCIA DE LOS ACUERDOS DE HELSINKI
ОБЩЕСТВЕННЫЙ КОМИТЕТ США ПО НАБЛЮДЕНИЮ ЗА ВЫПОЛНЕНИЕМ ХЕЛЬСИНКСКИХ СОГЛАШЕНИЙ

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The Lawyers Committee for International Human Rights is Counsel to Helsinki Watch.
Helsinki Watch is a founding member of the International Helsinki Federation for Human Rights.

Testimony of Jeri Laber

on the CSCE Process

Before the Commission on

Security and Coooperation in Europe

October 3, 1985

My name is Jeri Laber. I am Executive Director of the U.S. Helsinki Watch Committee, a nongovernmental organization that monitors compliance with the human rights provisions of the Helsinki accords. I am here today to discuss the CSCE process.

On August 1,1985, the U.S. Helsinki Watch Committee marked the tenth anniversary of the signing of the Helsinki Final Act by publishing two reports prepared especially for the occasion. One, a 329-page report entitled "Ten Years Later: Violations of the Helsinki Accords," deals with specific violations of the human rights provisions of the Helsinki accords in nine repressive countries: the Warsaw Pact countries, Yugoslavia and Turkey. The other, a short brochure that I would like to submit as part of my testimony today, is entitled "Where Are They Now? Human Rights Monitors in

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the USSR" and describes with photographs and brief case histories the fate of citizens in the Soviet Union who attempted to monitor their government's compliance with the human rights provisions of the Helsinki accords. The brochure lists more than fifty Soviet Helsinki monitors currently in prison or exile, as well as former Helsinki monitors who are still in the USSR, Helsinki monitors who have died and Helsinki monitors who have been forced to emigrate. It tells a grim story. Two photographs on the cover -- both of Dr. Yuri Orlov, founder of the first citizens Helsinki Watch Committee in Moscow-- serve as a graphic illustration of human suffering: seven years in prison have transformed a dynamic leader and activist into a prematurely old and haggard man.

Ten years after the signing of the Helsinki Final Act is an appropriate time to take stock. Has the 35-nation agreement --a product and a symbol of East-West detente -- in any way fulfilled its promise of furthering international security and cooperation? Is there any point in continuing to respect our obligations under the Helsinki Final Act when a number of the signatory countries have violated its human rights provisions -- blatantly and brazenly -- almost from the moment it was signed?

These questions were brought into sharp focus even before the tenth anniversary of the Helsinki accords, in May of this year when the CSCE human rights experts meeting opened in Ottawa. A group of former Soviet citizens, human rights activists who have been forced into exile by the Soviet government, issued an appeal

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to Western nations to nullify the Helsinki accords. The reasons they gave are compelling ones. They cited numerous examples of arbitrary behavior by Communist authorities, including escalating repression against innocent people, the arrests of virtually all of the Helsinki monitors, the banishment of the Sakharovs to Gorky, the imposition of martial law in Poland, the restriction of communications between people in Communist countries and those in the free world and the closing of possibilities for emigration. The more than twenty Soviet exiles who signed the appeal asserted that "...we can no longer associate ourselves with the agreement which not only failed to serve its humanitarian purposes, but even to protect its most sincere supporters, [the] agreement which has turned into a repressive tool in the hands of Soviet authorities." The fact that many of the signers of this appeal were themselves former members of Helsinki monitoring groups in the Soviet Union makes their disavowment of the Helsinki process all the more understandable and significant.

Nevertheless, in my view, the many abuses of the Helsinki process, deeply distressing as they are, should not lead us to abandon it. To the contrary, it is all the more imperative that the process be maintained. Not only is it the only ongoing East-West forum in which human rights abuses are vigorously denounced but, more important by far, it remains the main source

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of hope for victims of human rights abuses in the Eastern bloc countries and a rallying point in their struggle for freedom and peace. I have seen the Helsinki spirit at work in my meetings with human rights activists in Eastern Europe. Voices may lower but eyes light up when the word "Helsinki" is mentioned. To them "Helsinki" means "hope."

Human rights activists in the Eastern bloc countries view the Helsinki accords as a set of standards to which they appeal. In March 1985 a group of Charter 77 signatories in Czechoslovakia issued an appeal in which they reaffirmed that the Helsinki process "has set down the idea of the indivisibility of peace not only in the relations between states, but no less between the state and society, between the citizen and power." On the tenth anniversary of the Helsinki accords, Charter 77 issued a sober statement viewing the anniversary not as a reason for celebration but as an opportunity to examine why the historic opportunity presented by the accords has not been taken and to seek ways to put the Helsinki process in motion again. A Charter 77 spokesman, in a recent interview with an American journalist, said that in his view KOR and Solidarity in Poland would not have been possible without the Helsinki Final Act.

In Poland an underground Helsinki Committee continues to issue reports on human rights abuses in Poland. These reports are addressed to the various Helsinki meetings, such as the review conference and the human rights experts meeting.

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On the 10th anniversary of the Helsinki Final Act, the Polish Helsinki Committee issued a statement that referred to the May 1985 appeal by Soviet exiles to nullify the Helsinki accords. "We share their sorrow and bitterness," the Polish Committee declared. "However, despite everything, we still believe that the Helsinki process can be an instrument for restoring human and civil rights in Poland and in other East European countries. The Final Act of the CSCE and the Final Declaration of the Madrid meeting still remain an essential basis for claims set forth by the societies of these countries. The Acts broaden the circle of people actively engaged in the struggle for human rights. They awaken the citizen's sense of individual rights in day-to-day confrontations with the government apparatus. Above all, the CSCE process strengthens resistance to anti-Western propaganda or at least weakens its effectiveness. The Polish experience shows that each successive period during which the arbitrary rule of the government is strengthened ends in public protest. The societies' awareness that one normative standard exists helps give social demands a rational form and increases the chances of a peaceful resolution of the conflict."

A recent letter from a leading member of the underground Polish Helsinki Committee also referred to the May appeal by Soviet exiles: "The group of Russian dissidents is disappointed with the conferences in Ottawa and Paris, and proposes to demand

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the rejection of the Helsinki accords because they are not observed. This is absurd, because no one will listen to them, and it is nonsensical to undertake any action which will not bring any tangible result. Although the Helsinki accords are weak, they at least offer a chance to remind others about human rights. For this reason I think it is more sensible to expose the problem of human rights on the political scene..."

The Helsinki process has indeed made it possible to expose abuses of human rights in the political arena. The review conferences have provided a forum in which the Soviet Union and the Eastern bloc countries have been subjected to strong condemnation for the repressive measures they have taken against their citizens. In the course of ten years, Western protests have become increasingly vociferous, and many specific cases of abuse have been cited in what has developed into a long catalogue of Eastern bloc violations. Despite protests that such Western criticisms represent interference in their internal affairs, the Soviet Union and its colleagues have not walked out of the review meetings; clearly the Helsinki process is important to the USSR, so important that Soviet leaders are willing to subject themselves to exposure in a most unflattering light. Moreover, at the human rights experts meeting in Ottawa in May, the Soviet Union, in turn, criticized the United States for human rights violations, thus acknowledging that human rights compliance by a specific country is indeed the concern of all the Helsinki signatories.

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Not only has the Helsinki process put Moscow on the defensive in the diplomatic arena, it has also given certain East European governments some room to maneuver independently and to pursue to some extent their own relations with West European countries and the United States. The Helsinki process is also important to the countries of Western Europe, providing them with a voice in matters such as disarmament that otherwise might be exclusively the province of the great powers. The Helsinki process has helped forge a unified Western alliance in which West European countries have been focussing greater attention than ever before on human rights abuses in the Eastern bloc. The Helsinki process has also been important to the neutral and non-aligned countries, providing them with an opportunity to voice their concerns and with a special role in bringing about conciliation between East and West.

The Helsinki process has created a new court for international public opinion. Both governments and private citizens have set up groups to monitor human rights compliance with the accords. Citizens' Helsinki Watch groups, like the U.S. Helsinki Watch Committee, continue to form. The U.S. Helsinki Watch Committee is now affiliated with the International Helsinki Federation for Human Rights, an umbrella organization with member groups in ten North American and West European countries. These groups work in concert to document violations, bring them to public attention and

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extend moral support to oppressed groups in repressive countries.

The importance of the Helsinki process to human rights activists in repressive countries was brought home to me during a trip I made to Eastern Europe in the fall of 1981. I travelled to Czechoslovakia, Poland, Yugoslavia and Hungary, meeting with human rights activists in those countries, and ended my trip in Madrid where I addressed a group of Ambassadors and representatives from the delegations of a number of the NATO and non-aligned countries, describing to them what I had learned from my East European friends. Before I left the United States, several people asked me why I was ending my trip in Madrid. People in this country were at best only dimly aware that the Helsinki Review Conference was taking place there. Not so in Eastern Europe, however, where there was not so much as a pause when I mentioned that I was going on to Madrid. Instead, there were urgent requests: "Please tell them about us, tell them about what is happening here." The Helsinki process matters to citizens in repressive countries, especially those who attempted to monitor their governments' violations of human rights, only to become victims themselves. They put their faith in the Helsinki accords, sacrificing their freedom and sometimes their lives. They called upon groups in other countries, freer countries, to join them in the fight to protect human rights. And, despite all efforts to silence them, the Helsinki movement persists. Courageous individuals in repressive countries continue to support Helsinki

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principles, speaking out, keeping the record, bearing witness to the sufferings of others.

The Helsinki Accords are not responsible for the deteriorating human rights situation in Eastern Europe. To the contrary, the Helsinki process has called public attention to the repression, and there is every reason to believe that without the Helsinki accords the human rights situation in the Warsaw Pact countries would be still worse than it is now. If the United States were to pull out of the Helsinki process, we would be squandering the moral force that the accords have acquired as a result of the sacrifices of many brave individuals. Our withdrawal would be an ideological victory for the Soviet Union--a victory it in no way deserves.

Ms. LABER. I would also like to submit as part of my testimony a brochure entitled "Where Are They Now? Human Rights Monitors in the U.S.S.R." [See appendix 1.] This brochure lists more than 50 Soviet Helsinki monitors currently in prison or exile, as well as former Helsinki monitors who are still in the U.S.S.R., Helsinki monitors who have died and Helsinki monitors who have been forced to emigrate.

It tells a very grim story. Two photographs on the cover—both of Dr. Yuri Orlov, the founder of the first citizens Helsinki Watch Committee in Moscow—serve as a graphic illustration of human suffering: Seven years in prison have transformed a dynamic leader and activist into a prematurely old and haggard man. Ten years after the signing of the Helsinki Final Act is an appropriate time to take stock. Is there any point in continuing to respect our obligations under the agreement when a number of the signatory countries have violated its human rights provisions—blatantly and brazenly—almost from the moment it was signed?

This question was brought into sharp focus in May of this year just before the CSCE meeting opened in Ottawa. A group of former Soviet citizens, human rights activists, who have been forced into exile by their government, issued an appeal to Western nations to nullify the Helsinki accords. The reasons they gave are compelling ones. They cited numerous examples of arbitrary behavior by Communist authorities, including escalating repression against innocent people, the arrests of virtually all of the Helsinki monitors, the banishment of the Sakharovs to Gorky, the imposition of martial law in Poland, the restriction of communication with the free world, and the closing of possibilities for emigration.

The more than 20 Soviet exiles who signed that appeal asserted:

We can no longer associate ourselves with the agreement which not only failed to serve its humanitarian purposes, but even to protect its most sincere supporters, the agreement which has turned into a repressive tool in the hands of Soviet authorities.

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The fact that many of the signers of this appeal were themselves former members of Helsinki monitoring groups in the Soviet Union makes their disavowment of the Helsinki process even more understandable and significant.

Nevertheless, in my view, the many abuses of the Helsinki process, deeply distressing as they are, should not lead us to abandon it. To the contrary, it is all the more imperative that the process be maintained. Not only does it offer the only ongoing East-West forum in which human rights abuses are vigorously denounced, but—and this is a point that has not been made so far today—it remains the main source of hope for the victims of human rights abuses in the Eastern bloc countries. It's a rallying point for them in their struggle for freedom and peace.

I have seen the Helsinki spirit at work in my many meetings with human rights activists in Eastern Europe. Voices may lower, but eyes light up when the word "Helsinki" is mentioned. To them, "Helsinki" means hope.

The human rights activists in Eastern Europe view the Helsinki accords as a set of standards to which they appeal. In March of this year, a group of Charter 77 signatories in Czechoslovakia issued an appeal in which they reaffirmed that the Helsinki process, "has set down the idea of the indivisibility of peace not only in relations between states, but no less between the state and society, between the citizen and power."

A Charter 77 spokesman, in a recent interview with an American journalist, said that in his view both KOR and Solidarity in Poland would not have been possible without the Helsinki Final Act.

In Poland, there is an underground Helsinki committee continuing to function very actively, issuing numerous reports on human rights abuses in Poland, and addressing those reports to the various Helsinki meetings that have been taking place.

On the 10th anniversary of the Helsinki Final Act, the Polish Helsinki Committee issued a statement that referred to the May appeal by Soviet exiles to nullify the Helsinki accords. "We share their sorrow and bitterness," the Polish committee declared:

> However, despite everything, we still believe that the Helsinki process can be an instrument for restoring human and civil rights in Poland and in other East European countries.

A recent letter from a leading member of the underground Polish Helsinki Committee also referred to that appeal to disavow the Helsinki process:

> The group of Russian dissidents is disappointed with the conference in Ottawa and proposes to demand the rejection of the Helsinki accords because they are not observed. This is absurd, because no one will listen to them, and it is nonsensical to undertake any action which will not bring any tangible result. Although the Helsinki accords are weak, they at least offer a chance to remind others about human rights. For this reason, I think it is more sensible to expose the problem of human rights on the political scene.

The Helsinki process has made it possible to expose abuses of human rights in the political arena. In the review conferences, a forum for East-West discussion, the Soviet Union and the Eastern

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bloc countries have been subjected to strong condemnation. Despite their protests that such Western criticism represents interference in their internal affairs, the Soviet Union and its colleagues have not walked out of the review meetings. Clearly the process is important, so important that they are willing to subject themselves to exposure in a most unflattering light.

Moreover, at the Human Rights Experts Meeting in Ottawa, the Soviet Union criticized the United States for human rights violations, thus acknowledging that human rights compliance by a specific country is indeed the concern of all the Helsinki signatories.

The Helsinki process is also giving certain East European governments room to maneuver independently and to pursue their own relations with West European countries and the United States. The process is important also to the countries of Western Europe, providing them with a voice in matters such as disarmament that otherwise might be exclusively the province of the great powers.

The process has helped to forge a unified Western alliance in which West European countries have been focusing greater attention than before on human rights abuses in the East. The Helsinki process has also been important to neutral and nonaligned countries providing them with an opportunity to voice their concerns and with a special role in bringing about conciliation between East and West.

The Helsinki process has also created a new court for international public opinion. Both governments and private citizens have set up groups to monitor human rights compliance with the accords.

The importance of the Helsinki process to human rights activists in repressive countries was brought home to me personally during a trip I made to Eastern Europe in the fall of 1981. I traveled to Czechoslovakia, Poland, Yugoslavia, and Hungary, not for the first time and not for the last, meeting with human rights activists in those countries. But on that occasion, I chose to end my trip in Madrid where the Helsinki Review Conference was going on and where I had arranged to address a group of ambassadors and delegates to the conference about my findings in Eastern Europe.

Before I left the United States, several friends said to me, "Well, I understand why you're going to Eastern Europe, but why are you going to Madrid?" People in this country were at best only dimly aware of the fact that the Helsinki Review Conference was taking place there. However, this was not the case in Eastern Europe; however, there was not so much as a pause when I told my friends there that I was going to Madrid. All said, immediately: "Please tell them about us; tell them. Tell them what is happening here."

In their view, the Helsinki accords are not responsible for the deteriorating human rights situation in Eastern Europe. To the contrary, the Helsinki process has called public attention to that repression, and there is every reason to believe that without the Helsinki accords, the human rights situation in the Warsaw Pact countries would be still worse than it is now.

If the United States were to pull out of the Helsinki process, we would be squandering the moral force that the accords have acquired as a result of the sacrifices of many brave individuals. Our

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withdrawal would be an ideological victory for the Soviet Union—a victory it in no way deserves.

Thank you.

Chairman D'AMATO. Thank you very much, Jeri.

Our next witness Ludmilla Alexeyeva.

Ms. ALEXEYEVA. The Helsinki Final Act has had a greater direct influence in and of itself of the human rights movement in the U.S.S.R. than such leading international legal documents as the Universal Declaration of Human Rights and the human rights pacts.

Possibly, this is due to the publication of the complete text of this document in Soviet newspapers. As a result, the Helsinki Final Act, including the humanitarian provisions, became widely known to the Soviet population. The Universal Declaration of Human Rights and the human rights pacts, however, were only published in editions available to a narrow circle of specialists.

Anyhow, right after the signing of the Final Act in Helsinki on August 1, 1975, Soviet citizens began to refer to the humanitarian provisions of this document in their legal dealings with government and party bureaucrats, demanding from them that the Soviet Union observe its international human rights obligations. I have hundreds of samizdat documents which refer to the Final Act. These are only a few of such references which were frequent over the last 10 years throughout the Soviet Union.

As is well known, the Helsinki Final Act stimulated the creation of independent public groups to assist in the observance of the Helsinki Final Act in the Soviet Union. Such groups were formed in Moscow, Ukraine, Lithuania, Georgia, and Armenia. Less well known were efforts to establish Helsinki groups in Estonia, Western Ukraine, and in the Russian provincial cities: in Kuibyshev, Sovetsk, Saratov, Shevchenko, Voronezh, and even in the Mordovian labor camp for prisoners serving their second term on political charges. According to the dimensions of Soviet dissent, this organizational explosion is a new Helsinki stage of the human rights movement.

The Final Act became a general platform for these and allied independent public groups. The Final Act aided explanations of the ideology of the human rights movement, increasing its unity and leading to its assuming a leading role in Soviet dissent.

Observance of human rights as delineated in the humanitarian provisions of the Final Act became a general slogan for various, previously disconnected, national and religious movements, and also for the movement for social-economic rights. There are constant references to the humanitarian provisions of these movements from August 1975 until the present. Such statements were sent to the Ottawa CSCE Human Rights Experts Meeting and to the Helsinki foreign ministers conference to mark the 10th anniversary of Final Act.

I share the hopes of my countrymen in the Helsinki Final Act and in the Helsinki process. I must, however, note with sorrow that in the past 10 years, the Soviet human rights situation has not only not improved, it has worsened. But, this is not a reason to maintain that the Helsinki process is not productive.

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The bringing to life of the humanitarian articles of the Final Act in all the signatory states is the ultimate goal of the Helsinki agreements. The Helsinki process—the path to that goal—cannot but be difficult and protracted. In the past 10 years, only the first steps along that road were taken. I see the achievements of the Helsinki process in the growth in today's world of concern for the improvement of the human rights situation in totalitarian countries. This concern is most evident not only in public opinion, but also among politicians in that part of the world which is blessed by democracy.

One cannot underestimate the difficulties of the Helsinki process. For many hundreds of years, the relationship between governments and their peoples was considered a purely internal matter for every state, lying beyond the limits of competence and even interests of its partners in the international arena. The innovative, revolutionary core of the Helsinki Final Act is its renunciation of this diplomatic tradition due to its recognition of the organic connection between respect for human rights and the preservation of peace.

But, it is one thing to formulate an idea and even include it in an international document, and another thing to rearrange thinking in a new direction. The more deeply ingrained a tradition and the sharper the turn away from it, the more time and effort is needed to overcome its inertia. Conferences of the signatory states of the Helsinki accords may serve as landmarks in this process.

In Belgrade, in 1977, only the head of the American delegation, Ambassador Arthur Goldberg, risked pointing out Soviet violations of the humanitarian provisions in the Final Act. Other delegations did not support the United States. At meetings devoted to this issue, American allies accused the U.S. delegation of attempting to turn a diplomatic conference into a boxing ring, of putting the Soviet Union on trial, et cetera. This position of the allies greatly limited the opportunities of the American delegation at Belgrade.

At the Madrid conference, 3 years later, the head of the American delegation, Ambassador Max Kampelman, made the persecution of the Soviet dissidents a constant theme of his numerous statements. And he was not the only one to speak about this. The American delegation was supported not only by the NATO delegations, but by those of all the democratic countries.

Last spring, in Ottawa, the head of the American delegation, Ambassador Richard Schifter, enjoyed the same unanimous support. He did not limit his criticisms to the persecution of Soviet dissidents. He also spoke of the danger of the world posed by the absence of rights of the entire Soviet population: non-Russian peoples, who make up almost half of the Soviet population; religious believers, who include millions of Russians. Schifter mentioned that Soviet workers—that is, for the entire mass of the population of the country—cannot defend their rights from economic demands of the state, and that Soviet laws are incompatible with the Soviet Government's international, human rights obligations.

Thus, human rights has become a constant theme at international meetings, and not only at CSCE conferences, but also at summit meetings. Human rights has become a standard and, therefore, irreversible fact of international relations today.

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This process has taken 10 years. The following step in the Helsinki process is to shift from verbal criticism of the Soviet position to punitive measures for noncompliance with Final Act obligations. Direct and strict linkage between the human rights policies of each Helsinki signatory and the granting of credits, access to scientific achievements and technology, conditions of trade agreements—along the lines of the Jackson-Vanik amendment—would be tangible and effective.

Such linkage is also easier to propose than to bring to fruition, but it will also take considerable time. But, there are not many ways to transform the totalitarian Soviet state to the rule of law. There are no ways that are quick and simple. Such a stage in the Helsinki process is, in my opinion, the most promising way to this far-reaching goal. This doesn't mean that we should not seek other means, but such linkage should under no circumstances be rejected.

Opposition to the Helsinki Final Act is a weak argument mainly because this idea arose among Soviet emigrants and not within the country. To this day not one—and I emphasize this—not one voice from within the Soviet Union has supported this idea.

Another weakness of the Final Act's opponents is that they offer neither effective replacement for the Helsinki process, nor anything with which the Helsinki process conflicts. Their only argument against the Final Act is not over certain defects in the text, but only that over the last 10 years the Soviet Union has not complied with its Helsinki obligations.

Soon, however, it will be 2,000 years that most of mankind has not been living up to the Ten Commandments of Christianity. Does this mean that we, scorning other possibilities of improving the world, should expend our lives in a struggle to reject these commandments? As I see it, this is not a very constructive position.

Thank you.

Chairman D'AMATO. Thank you very much.

Dr. Yuri Yarim-Agaev. I think Mr. Sussman has to leave at 12 o'clock. Since we're going to hear all of you, suppose we hear Mr. Sussman's statement first, and then we'll have time to hear your statement.

Mr. Sussman.

Mr. SUSSMAN. I appreciate that very much. And, I would ask to, in order to save——

Chairman D'AMATO. We'll take your entire testimony and include it in the record as if read in its entirety. If you wish to summarize your remarks, that would certainly be appropriate.

Mr. SUSSMAN. I'd like to do that, if I may.

[The following is Mr. Sussman's entire written statement for the record:]

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In Praise of the Helsinki Process
Testimony
Leonard R. Sussman
Executive Director, Freedom House
Commission on Security and Cooperation in Europe, October 3, 1985

Freedom House, and I personally, appreciate this opportunity to describe our analysis of the Helsinki Final Act, and particularly the manner in which a cumbersome document has been converted into a live, useful process.

The organization I represent was the first American body in 1975 to recognize the value of that process. When the press and some political leaders were denigrating the Helsinki Accords, we called as early as September 1975 for the creation of an active Helsinki Watch to monitor violations as well as compliance with the agreement.

The Helsinki denigrators --then and still today--mix erroneous information with exaggerated expectations of the uses of the Accords. First, the Final Act was neither de jure nor de facto a World War II peace accord that guaranteed the East-West territorial division of Europe that the Soviet Union had sought, but did not achieve. I have demonstrated this extensively in the Wall Street Journal* and Freedom At Issue.** (See Appendices 2 and 3.)

Of course, the Soviet Union wanted the Helsinki Accords to provide final boundary lines for the lands the USSR overran or in other ways converted to satellites without ever achieving the legitimacy which free elections would have provided. Some 40 years later, the same striving for legitimacy haunts those regions. For more than two years before the Final Act, Soviet negotiators sought repeatedly to achieve their most important objective: final territorial commitments.

They were unsucessful. The references to boundaries in the accords are no different than earlier diplomatic understandings and treaties: boundaries could be changed by peaceful means--hardly the assurance that the Helsinki Accords confirmed any boundary lines.

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To be sure, the USSR continues to encourage the casual or unsophisticated observer to believe that Helsinki gave away borderlines. Not so.

The Western press, particularly American news media, have generally accepted these Soviet claims as fact. That is a disservice to the tradition of earnest journalism, and the national interest is negatively affected. Journalism, after all, is a major component of the public's right to understand important public issues.

The role of the press goes beyond the relatively rare occurrence of misinforming. In the operation of the Helsinki Process the continuing interest of the news media is essential to fulfilling the primary purpose of the accords.

It should be understood, on this tenth anniversary, that no single diplomatic act can crucially alter the internal structure of the signatory nations. It is perhaps more difficult to change each government's relationship to its own citizens than to alter bilateral relationships. And, it must be recalled, much of the Final Act addresses human rights--the rights of the individual citizen as he or she faces the power of the state.

The system of governance in the Soviet Union and, in varying degrees, throughout Eastern Europe permits only authoritarian or totalitarian controls over news and information, public and private assembly, diversity of economic, political and religious beliefs and practices. How, then, could the Helsinki Accords be expected to influence closed societies? And if they could not, was not the presumed expectation of salutary change at best a delusion and, at worst, a farce?

Decidedly not, if one understands the distinction between a one-time signing ceremony and a continous investigative and public reporting process. The Helsinki Process is, indeed, an unusual mode of diplomacy. It is, I believe, public diplomacy in the truest sense. It relies for impact almost exclusively on public attention. Stemming from that world-wide public attention flows a moral imperative even for largely immoral actors. That imperative is rooted

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in the standards of governmental behavior which each of the signatory nations accepted as a norm.

Deviations from those standards are clearly observable to citizens and governments in the 110 developing countries where Soviet propagandists have long projected the communist system with a human face. And, of course, Western and neutral nations similarly observe Soviet realities.

This is an important value of the Helsinki Process. No less so is the moral pressure which the process applies to prevent still worse crackdowns on the citizens of the Soviet Union and other East-bloc countries. To be sure, the worst victims of the Helsinki system have been those in the USSR who took the accords most seriously: the Helsinki monitors who have been cruelly imprisoned, harassed, exiled, subjected to psychiatric abuse; several died.

What can one say to them? They must be honored as soldiers of human rights who fall in the course of battle. Their tormentors must be seen as the tyrants. Only misplaced emotion, understandable though it is, would charge guilt to the process which seeks to end such oppression but succeeds only in spotlighting it.

For I believe the Helsinki Process is successful within the limits of nonmilitary possibilities. The process enables the world to see and better understand the realities of the closed societies and learn in greater detail the components of human freedom in democratic societies. Not just electoral systems, which are widely known, but the daily relationships--inter-personal, citizen-to-government, and government-to-government--in the economic, social, educational, journalistic and other fields.

As I suggested earlier, moreover, the effectiveness of the Helsinki Process relies heavily on the mass news media, and particularly the international print and broadcast channels to report the case-by-case findings of the Helsinki reviews. I understand that Western journalistic criteria work against regularized reporting of similar-sounding subjects. Perhaps greater reportorial and editorial ingenuity is required to give the process the coverage it deserves.

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For it is primarily a channel created to inform citizens as well as governments of both compliance and violations of the norms in the three baskets of the Final Act. As the accords have developed, the process is its most important continuing contribution, and the role of the mass media is vital to that process.

*August 1, 1985

**September-October 1985

Leonard R. Sussman is Executive Director of Freedom House which monitors political rights and civil liberties around the world. Mr. Sussman has actively supported press freedom in negotiations and conferences on every continent. He edited Three Years at the East-West Divide, the speeches of Ambassador Max M. Kampelman at the 1980-3 Madrid review of the Helsinki Accords. Mr. Kampelman is on leave as Chairman of the Board of Freedom House.

Mr. SUSSMAN. I'm Executive Director of Freedom House. As you know, Ambassador Max Kampelman is our board chairman on leave. Jack Riehm is our president.

I believe the Helsinki process is successful within the limits of nonmilitary possibilities. The process helps the world to see and better understand the realities of the closed societies of the Soviet bloc, whose realities include the harsh crackdown on all forms of dissent, efforts to obliterate many cultural and national characteristics, and most inhuman of all, the murderous invasion of Afghanistan.

Repeatedly spotlighting such realities is an important value of the Helsinki process. The process also enables the world to learn in greater detail the components of human freedom in democratic societies. Not just electoral systems, which are widely known, but the daily relationships—interpersonal, citizen to government, and government to government—in the economic, social, educational, journalistic, and other fields.

As I've often suggested, moreover, the effectiveness of the Helsinki process relies heavily on the mass news media, and particularly the international print and broadcast channels to report the case-by-case findings of the Helsinki reviews. Now, I understand that Western journalistic criteria work against regularized reporting of similar-sounding subjects. Perhaps greater reportorial and editorial ingenuity is required to give the process the coverage it deserves. Sometimes I feel the news media are too sophisticated. They seem to writeoff real oppression as merely cold war rhetoric.

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American delegates to the CSCE should work diligently, too, to keep all meetings as accessible to the press as consensual agreements can provide. The recent Ottawa meeting of human rights experts was closed to the press, and the media quickly lost interest. Again, the need for ingenuity by the reporters. And, too, American delegates should urge friendly delegations to take stronger positions in advance of meetings to keep the proceedings available to the press in the future.

For it's primarily a channel created to inform citizens as well as governments of both compliance and violations of the norms in the three baskets of the Final Act. As the accords have developed, this process is its most important continuing contribution, and the role of the mass media is vital to that process.

The question was asked this morning: "Would we be better off without it?" Or, I should say: "Are we better off after 10 years?" And, I would respond: "Would we be better off without it?" I think not. I think it's quite clear that we have in the Helsinki process a public publicity channel—it's probably a better term for the word "propaganda," our propaganda—and ideas do count as well as actions. So, we should not only look, it seems to me, for the actions but for the ideas that are circulating.

I submit there are three segments to the Helsinki process if we examine them somewhat unsophisticatedly. The first is the juridical argument, the legal thing. What norms did we set? We've done a lot of that. Ms. Hauser this morning suggested perhaps we don't need much more of that. But, what has been done has been excellent, and that's one-third in my view of what's been accomplished.

The second of the actions—we look to actions; we look to responses. All of your irritations and frustrations this morning reflect ours at this side of the table. Of course, we look for actions and response, but that's the second part of the three elements.

The third is propaganda and ideas, and there, I think, we have done rather well. I don't think we should diminish the fact that ideas count and that they're certainly part of what goes into the creation of political possibilities and in some cases security possibilities. So, the Helsinki process is indeed now, as I see it, from a very pragmatic standpoint, it's the forum for a play of ideas. It's not a game. They're serious ideas, and I assure you the other side takes them quite seriously, as we should—we don't too often. Our press doesn't often enough, and our public doesn't.

But, I also submit that we tend to underestimate the sophistication of the Third World and their publics generally, not only our public. I spent last week in Malaysia addressing some 200 journalists from the Asian countries. They're not unsophisticated. They know the score. They were asked over and over by a Soviet bloc representative to take their form of journalistic work as a model. They refused. They even refused their own government's effort to accept the guided journalism, which is so endemic in the Third World. They said: "No, we want the Western model."

These people are not at all asleep, and they are not all being taken into court by Soviet propaganda or even by the speeches referred to earlier in Paris this week. I think we do ourselves a disservice if we underestimate what we're able to accomplish in this process.

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Chairman D'AMATO. I don't think it's really a question of abandoning the Helsinki process. That should not be the focus of this hearing. There are some who have called for the United States to withdraw from the process. I believe that while we may be dissatisfied with some of the results of our participation and we have a feeling we could have done better, it is not the intention of any of the members of this Commission—certainly not the chairman—that we should withdraw.

I think the real question is how can we make the process more effective? How do we make it more effective? Two of the people testifying here have made a very concrete suggestion. And, our last witness—let me quote from his testimony—seems to take a position that administration after administration has failed to undertake, and that is, and I quote:

> To shift from verbal criticism of the Soviet position

and uses a tough word

> to punitive measures for noncompliance with the obligation of the Final Act, the establishment of direct and strict linkage between the human rights policies of each Helsinki signatory and the granting of credits, access to scientific achievements, technology, conditions of trade agreements, et cetera.

Would you care to comment on that? That is one person who says that if we're going to turn our back on these Soviet violations by reaching new, scientific/technological credit, and other agreements, then aren't we really doing a disservice to the process? How can we make the process more effective? That's this Senator's question to you.

Mr. SUSSMAN. Well, my quick answer to that is on a very general level. I agree with the suggestion that we make it more difficult, but I would also remind ourselves that we've run out of tactics—we've run out of tools. We discovered that in the Polish situation. After you've withdrawn this and withdrawn that, what's left? You're back again to the question of dealing with ideas in their own forum.

I don't deny the other possibilities and I think we certainly should not be engaging in giveaways, for a lot of other reasons, not just the Helsinki process. So, that's part of the problem, too. We are dealing in a diplomatic scene with a great many cross-currents. We're dealing with many issues—security issues as well as with the human rights issues—and they all must be balanced in one form or another. There are just so many facets of the situation.

So, all of that, I would put aside—I would add to the fact that we're always, for better or worse in a democratic setting, suffering the one handicap, which I think is our admirable achievement, and that is that we can't force the public to listen, we can't force the press to cover. We cannot indeed take some steps in the international scene which the adversaries can do automatically by pushing a button.

So, of course, we're handicapped, and of course, we lose patience. But, the important thing in this process is patience. The important thing is the whittling away, week-in and week-out, year-in and year-out, of these issues. And, if we get bored with them, if we find them tiresome, we must remember that the issues are still there. And, if we withdraw, if we diminish or if we simply ignore, they'll

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be there tomorrow and probably in a worse form. And, we can't prove it.

That's another part of the problem that's so difficult. You can never prove when doing well, or you can always prove when you're doing badly; you can't prove quite as readily when you're doing well.

Chairman D'AMATO. Thank you, Leonard.

Mr. Agaev.

Cochairman HOYER. Mr. Sussman, do you have to leave now? If so, I would like to ask him a question, if I may, Mr. Chairman?

Chairman D'AMATO. Certainly. Go ahead.

Cochairman HOYER. One of the frustrations that has been expressed here by Senator Humphrey, Senator Wallop, Senator D'Amato, and myself is lack of media coverage. You speak to that in the last sentence of your prepared statement, where you say: "The role of the mass media is vital to that process." I think we all share your view on that. One of the central discussions we've had is how to get the media more involved.

Could you give us some suggestions on that question? It is my understanding that only VOA and RFE as well as the New York Times had any staying power with respect to the Ottawa conference. The Washington Post did not cover Ottawa at all, I might add that I wrote the editor complaining of the lack of coverage.

In fairness, however, after that, there was good coverage of the Final Act and the process leading up to the August 1 ceremony in Helsinki. But, how do you suggest we go about the business of trying to get the media more involved and explaining to our respective publics in the United States and in Europe the process, its successes and failures?

Mr. SUSSMAN. I think apart from what you're arguing and what the CSCE does year-round in distributing information, part of it probably has to be a kind of missionary effort, and I would say to begin with such organizations as the American Newspaper Publishers' Association and the American Society of Newspaper Editors [ASNE], in private, not press conferences.

But, I would get some of your best people to sit down with some of their top people and express the facts as you know them and what you've been saying here and the importance of it to the American public, not suggesting that you're demanding, but in their own sense of responsibility they ought to be doing things about this.

These are two possible ways of starting it off. I would hope that what might come of that might be some of their internal efforts—some of these agencies, the ANPA, for example, runs conferences for its own members—workshops—on how to cover certain issues better. This could be one of those issues that they could add to their forums on a workshop basis.

Cochairman HOYER. Thank you, Mr. Sussman.

Mr. SUSSMAN. I apologize for leaving now, if I may?

Chairman D'AMATO. Doctor?

Mr. YARIM-AGAEV. I am testifying here in several capacities. I am the last member of the Moscow Helsinki group who emigrated to the West, and I represent dissidents in exile, who signed a letter which was published in the Wall Street Journal, and I am the Di-

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rector of the Center for Democracy whose main goal is to maintain communication with independent people, mainly dissidents, in the Soviet Union and to offer support to them.

Two months ago I wrote a letter calling for the abrogation of the Helsinki agreement, which was published in the Wall Street Journal, (see appendix 4) and this letter was supported by many dissidents, including four out of six members of the Moscow Helsinki Group in exile. The main reason for publishing this letter was to show, contrary to the widespread belief that human rights activists from the Soviet Union unanimously support the Helsinki accords, that there are many of them who now consider the accords to be useless and even harmful.

The particular event that caused me to write this letter was the death of several Helsinki monitors imprisoned in Soviet labor camps. These deaths destroyed any appeals for further patience, because the main rationale for such patience—and the moral foundations upon which it must rest—had been destroyed. These deadly practices should be stopped, and we wouldn't hesitate to trade the accords with all their baskets to end them.

One should remember that these deadly practices not only kill the most courageous people in the country, not only make the agreement empty of content, but also destroys hope among the Soviet people for any possible pluralization of Soviet society. We refer here to the hope which, against great odds and in defiance of brutality and oppression, gradually put its roots into the hard soil of Soviet totalitarianism.

Two recent events that happened after our letter was published confirm this solemn judgment. Vasily Stus, the great Ukrainian poet, a member of the Ukrainian Helsinki monitoring group, died in a labor camp. And, Mustafa Djemiliev, leader of the Crimean Tartars, now serving his sixth term as punishment for his humanitarian activity, was imprisoned inside a labor camp. He has begun his hunger strike which he has pledged not to end until the end of his sentence in November 1986. He may become the next death-row victim if he is not preceded by some other dissident.

We strongly believe that the threat to abrogate the Helsinki accords can stop this deadly practice and cause the Soviets to release those Helsinki monitors who are still alive. We are certain that this is one of the few positive roles that the Helsinki accords can still play.

The continuation of the Helsinki process in its present form can have only negative effects. It has failed to protect human rights in the Eastern Bloc where the situation is now very grim. It is painfully evident also that the accords have failed in the field of cooperation. One need only recall the recent Soviet laws and regulations which virtually exclude the Soviet people from any significant opportunity to communicate with foreigners.

Such a record of failure creates more and more negative effects. They demonstrate the near impotence of the Western democracies to deal with crucial problems. Another negative effect of the continuing process is that it more and more legitimizes the abuses of the Soviet system.

The very fact of Soviet-American meetings within the framework of the review conferences and the reciprocal signing of docu-

ments—no matter how strong Western rhetoric is outside the confines of these documents—while the Soviets decimate Helsinki monitors, provides a degree of complicity and acceptance by the West of the Soviet's standards. Thus, gradually, opposition turns into collaboration.

Ironically, the Helsinki accords, designed to establish linkage between security, cultural cooperation and human rights, is now serving to destroy such linkage. There is a total disjunction in the Geneva arms control talks between arms control and human rights. Scientific exchanges, a vital concern of the Soviet leadership, was, in effect, detached from concern for human rights when Dr. Frank Press, the president of the National Academy of Sciences, signed a new agreement with the Soviets precisely on the fifth anniversary of Sakharov's banishment to Gorky.

If one tries to remind people engaged in these transactions about the importance of linkage, they are inclined to refer to the Helsinki accords as the suitable arena for the playing out of the politics of linkage. This is a catch-22 situation since the Helsinki process has consistently failed to be effectively linked either to the politics of East-West relations or to an effort to demonstrate to the Soviets that noncompliance will have consequences in some other area vital to them.

In our judgment, the negative effects of the continuation of the Helsinki process and the possibility that the threat of abrogation can bring the release of Helsinki monitors in the Communist countries is quite enough to allow us to come to a clear decision. Yet, many well-intentioned opponents of this position argue that the positive effect of continuing the process will outweigh all the negative consequences. Let me, therefore, analyze the effect of maintaining the status quo by examining some of the most prominent arguments made on behalf of such a view:

First: An international agreement, even though it is not a formal treaty, imposes some obligations on the Soviet Government which they have to follow. I think the facts clearly contradict this belief. Furthermore, it is theoretically mistaken. Laws and agreements, both international and internal, restrict governments only in democratic countries with independent centers of power.

Second: The Helsinki Act creates a viable structure for transactions between East and West. Hardly. It is too cumbersome. The Helsinki process includes 28 independent parties and so many issues of a varied and diffuse sort that any dynamic and consequential bargaining is virtually impossible. Any deal with the Soviets—and we should never forget that moving them on any question rests on their desire to improve their own prospective—must be clear and must use some leverage. We have examples of two transactions that express such characteristics. The first is the Jackson amendment which made it possible for thousands of Jews to emigrate and the second is the moratorium on scientific exchange that resulted in the release of several dissident scientists. The Helsinki agreement did not produce such effects.

Three: The Helsinki accords is a document containing high ideals toward which people can strive. In point of fact, the history of the development of the accords reveals that they are neither the Ten

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Commandments nor the Bill of Rights. The accords are a compromise between two systems whose values are in basic contradiction.

Four: The Helsinki accords provide a good set of guidelines for the conduct of foreign relations between the Western democracies and the U.S.S.R. We believe that the principle of linkage between security and human rights and cooperation should serve as a good guideline. The Helsinki accords could help to establish such a policy of linkage, but unfortunately, the agreement plays an opposite role at this juncture. The principle of linkage should be elaborated by the democratic countries without Soviet participation and applied in all branches of foreign policy.

Five: The Helsinki review conferences provide an excellent public forum to examine Soviet violations of human rights. Unfortunately, this is not the case. The fact that the Ottawa conference was held behind closed doors and the NGO's were barred hardly helps, also. At the same time, the calls for renouncing the Helsinki accords find much more public interest and attract the attention of people in the West to human rights problems in the Soviet Union.

Six: The Helsinki accords provide a proper context and background for activity by the Western public and governmental organizations who defend human rights in the Soviet Union. It is true that the accords boosted this activity and helped to create such excellent groups as CSCE and Helsinki Watch which are very helpful; they are deservedly respected for their important work. But their concerns are much broader than the Helsinki agreement and would continue independent of the existence of the Helsinki process.

Seven: The European countries would not support the U.S. abrogation of the accords. Formally, such support is not necessary; withdrawal can be unilateral and participation is based on consensus. Realistically, the attitude of Western European signatories to the accords is not as unanimous as it is sometimes presented. One can find numerous statements against the accords by groups and parties of different political orientation in all Western countries.

Eight: Helsinki monitors and other human rights activists in the Communist countries unanimously support the accords and consider it vital to their existence for them to be maintained. This is perhaps the most serious argument I've considered so far; if it were true, I would abstain from promoting the idea of abrogation. However, in point of fact, this argument is not true. We do not have any direct evidence from the Soviet Union on this matter.

I hope I may be permitted to say that I am in a rather unique position in considering this point because I am the last member of the Moscow Helsinki Monitors Group who emigrated to the West. I was in the group after the Belgrade review meeting ended without any positive results and after a major crackdown on dissent had been in effect for about 1 year.

The monitors discussed these questions extensively and about half of the group supported the policy of disbanding the group and trying to continue our activities in other ways. The opponents disagreed on tactical grounds, but not, I might stress, on their attitudes toward the accords. On that matter, we were virtually unanimous. Finally, as you know, the group disbanded. Nor could one

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find support for the maintenance of the accords from other dissidents.

For 5 years in the United States, I have spent an enormous amount of time and effort to maintain communication with people in the Soviet Union. The letters I receive hardly allow a responsible observer to conclude that there is substantial support for the accords. The only recent public evidence we can get comes from the interview with Naum Meiman, one of the members of the Moscow Group who is still free. It was published in the New York Times, July 29, 1985. It is hardly a supportive statement. As Seth Mydans of the New York Times writes, "Now, 10 years later, Mr. Meiman agreed, the hopes the Helsinki accords fired in the Soviet Union have died out."

Finally, let me note that the absence of statements by dissidents denouncing the accords cannot be treated as evidence that they support them. Most dissidents are imprisoned and cannot make public statements at all. Support for the accords is official Soviet policy announced in all major speeches by Gorbachev and others. To speak out against the accords is to speak out against the Government. It seems doubtful that dissidents would risk inviting punitive Government action by denouncing an agreement which is widely regarded as defunct.

In the beginning, the Helsinki accords had positive impact on many of the above-mentioned issues, but they are no longer serving a positive purpose. This is partly because of the inertia of the Soviet system—it takes a while for it to adopt to new circumstances, but now it is adopted. The dissident movement has been so successful because it has been innovative. It easily changed forms remaining consistent in its basic principles.

The Helsinki accords are primarily form and we should not adhere to them, yet we should save the basic positive elements which were created and developed with their help:

First, linkage between security, cooperation, and human rights;

Second, the public and governmental groups in the West who are doing an invaluable job in supporting the human rights movement in the Communist countries;

Third, and most important, the people in those countries who committed themselves to the cause of freedom and democracy and the fragile structures of independent opinion in those countries.

The achievements of these objectives is the main goal of the center for democracy and we have had some important successes. Yet, we together with other public groups would be more successful if our activity were levered by governmental policy of linkage.

As was stated before, this principle could be and should be adopted as a guideline for foreign policy toward the Soviet Union. This policy should be developed together with Japan, Canada, and Western European countries. It has a good chance for success because the Soviet Union has many windows of vulnerability. The Soviet system desperately needs money, consumer goods, science, and technology. It fails to catch up with the United States on modern weaponry. The Soviet regime has to cope with the growing desire of the people for better material well-being, for national identity, for freedom.

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In its turn, the West should realize what imposes the main threat: dedication of the Soviet Union to destroy a free world, omnipotence of the Soviet Government, 260 million hostages kept by it in the U.S.S.R. and millions in other Communist countries, control of information, internal secrecy, domination in Eastern Europe, and strategic location. To decrease this threat using political leverage is justified both politically and morally and the proper demands can be made immediately.

The United States links its trade policy with South Africa with the demand that its government immediately change the system of apartheid. The United States does not hesitate to demand from the South African Government reforms which could undermine the very existence and bring to the power far from moderate forces. Yet, the United States is more than cautious about demand from the Soviet Government the release of people whose principle is nonviolence and who would not impose any direct threat to the Soviet Government. Why then, in the first instance, we consider any further delay morally unacceptable, while in the second we call for patience?

Thank you.

Chairman D'AMATO. Thank you very much. You pose a very interesting question about a dual standard that we somehow apply because we may believe we have more leverage with them. We do that with Soviets. We tend to feel that perhaps we don't have the leverage. But, let me ask you, Yuri and Jeri, to respond—I'll ask Jeri first. Again, the question is: How can we make the process more effective? I think that's something that we all seek. Yuri says we shouldn't continue it because to do so plays into the Soviets' hands, but you also made some positive suggestions about what we can and should do. You're not abandoning the issue of human rights, you are thinking about how we make the process more effective. Also, would you care to comment on her observation concerning the need for a plan of action as opposed to verbal criticism. Let me just read you this one sentence:

> The establishment of direct and strict linkage between the human rights policies of each Helsinki signatory and the granting of credits, access to scientific achievement and technology, conditions of trade agreements along the lines of the Jackson-Vanik amendment would be tangible and effective.

Do you feel that this is an area that we should really begin to explore? How can we make the process more effective, and what about Ludmilla's suggestion?

Ms. LABER. Let me answer your second question first, if I may, because that answer will probably be shorter. On the subject of sanctions this country has a terribly poor record of imposing sanctions and then not carrying through with them.

Chairman D'AMATO. Isn't that because we fail to obtain sufficient support from our allies? In other words, if we unilaterally impose sanctions that are not coupled with similar measures by our allies, don't we, in many cases, become futile and ineffective?

Ms. LABER. I'm not sure that's true. In my observation it often has to do with domestic policies. The grain embargo was lifted not because anything had changed in the Soviet Union but because President Reagan had made a promise, a campaign promise to American farmers. The sanctions on Poland were lifted because we

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were, I frankly believe, duped by the Polish Government. There was an amnesty. We went along, giving up sanction after sanction, only to find out that the same people are back in prison, and more of them as well.

If we're going to impose sanctions, this should be done selectively and carefully and not necessarily that often. We have to be prepared to stick with them, to really stick with them, because otherwise they become meaningless.

Chairman D'AMATO. A consensus for others to join.

Ms. LABER. Absolutely——

Chairman D'AMATO. Otherwise they may——

Ms. LABER. Otherwise they become meaningless because other countries move in, and——

Chairman D'AMATO. And that means domestic discontent because our people say, rightfully, "we don't mind making the sacrifice, but if we're making the sacrifice here in this Nation, our allies—France, England, Italy, Germany and other nations—will undercut us"—and there's the Argentinians with the wheat and the Canadians——

Ms. LABER. Well, I agree with you on that and that's why I——

Chairman D'AMATO. Well, that's Ludmilla's suggestion. It's a proposal she put in her statement and something that we should look at.

Ms. LABER. I agree that we need better cooperation with our allies, and that gets me to your first question concerning how the whole process can be made more effective. I have a suggestion that nobody has posed yet today. First, let me say that I agree with everything Leonard Sussman has said, and that Yuri and Ludmilla have said. There are a lot of ways to be more effective. I believe in the process, obviously. I think publicity is important. Our committee has done a tremendous job in trying to create that publicity for the last 6 years. We've organized groups in Western Europe. We now are part of an international federation of 10 Helsinki groups. We have suggested that commissions like yours might be formed in other Western countries; so that your Commission could be working in concert with commissions in the other countries and our groups in Western Europe could be working with them, too.

At the same time I want to say something that hasn't been said here before. I think that we have to give greater credibility to U.S. human rights policies if we're going to get the cooperation we seek from our Western allies, and if we are going to get anything other than a cynical response from the Soviet bloc countries. As long as we sit in the Helsinki forum beating up on the Soviet Union, barely recognizing what's happening in Eastern Europe, and totally ignoring what's going on in one of our NATO allies—Turkey—the Soviets are going to say "well, they're playing their game; we'll play ours."

I was told just recently that a U.S. Senator who met with Mr. Gorbachev raised the question of human rights, and Gorbachev responded, "Don't you talk to me about human rights as long as you're supporting a war in Salvador and the Government of Chile." But, without getting into U.S. policies in Latin America, let's just think for a minute about the NATO countries among the 35 countries that have signed the Helsinki accords. There are thousands of

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political prisoners in Turkey. That issue has never been raised. There are arrests and long sentences in Yugoslavia. That issue has never been raised. I am not saying that the Soviets will change their position if we start criticizing other countries as well, but they might finally understand that we mean what we say, that we are truly concerned about human rights and that we're not just trying to embarrass them for reasons that have other, political motivations.

I know you may not be particularly sympathetic to this point of view, but I think it has to be said.

Chairman D'AMATO. We respect everyone's right to express their point of view and we expect it in this hearing.

Ludmilla.

Ms. ALEXEYEVA. I speak best in Russian, so she will translate for me. It's difficult with my poor English to answer in English.

Chairman D'AMATO. You do very well with your English. How can we make the process more effective?

Ms. ALEXEYEVA [translated]. Unfortunately, I'm certainly not a politician. I'm a recent arrival in the United States. First of all, I feel that any suggestions I make would not be particularly applicable to the discussion here. But, I would like to say on why we founded the Helsinki group and the goals in which I still believe.

The countries that signed the Helsinki accords should not make any gifts to the Soviet Union, according to the agreement. Everything must be conditioned in relation to those specific activities in the Soviet area. The only area that could beat it because we think it takes priority to human rights, is the area of disarmament, because it gives all of us our primary right, that is the right to life.

But, we are always very disappointed and upset when the Soviet Union seems to get and often did get advantages inside the Helsinki process without making any specific improvements in the human rights area.

In fact, I believe that the Jackson-Vanik amendment is a very good model for other endeavors which could be tried in the Helsinki process which is a very specific linkage between improvements in the specific human rights area and trade benefits.

Chairman D'AMATO. Thank you very much.

Yuri.

Mr. YARIM-AGAEV. I wanted first to point out the leverage America has, and it really has very strong leverages. Soviets desperately need money. They are on the edge of doing some economical reforms which need material incentive and they are totally out of capital. They have only three possible sources of money. First, a degree of help from their satellites in the Third World, and they almost did it, and they put those countries to get for money to the West and—let me see—it was Mozambique and other countries; even was Cuba and Vietnam.

Second source of Western credit, and they will do now anything to get those credits. And third possible source is the decrease of their military budget, and they will pursue all three directions now. And when we see Gorbachev making a statement that they want to make 50-percent reduction of their arms, most people treat it as a propaganda, mainly. But I would say that the main reason

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for this proposition is that they really need to reduce their military budget, and they will do it independently on what America does.

So, what happens in Geneva? From one point of view, Soviets need to reduce their budget and this is a window of vulnerability from another point of view. They cannot catchup with their laser technology which is necessary for space defense system. And they want to trade one thing for another for those things that they need, and none that the United States needs. And that's quite a strange situation because at the same time when we speak about the linkage, what the United States really needs is to have some independent control of the Soviet Government inside the Soviet system. And there's a question of security—it's not simply the question of human rights.

The presence of people inside the country who can openly speak their opinion is a crucial point. It's much more important for Americans than hardware, and that's why—that's why I say that it's crucial—such talks as arms control, the declaration of Helsinki monitors, other dissidents, independent people in the Soviet Union are included as integral part.

In other part are all trade agreements. Again, we should link them with the issue of human rights. And something the Soviets definitely need very much is scientific exchange; and here again, the linkage should be absolutely clear.

And let me mention one important thing—I mentioned it in my statement. We should note that the most leverages that we have are in the areas of trade and technology. And one of the things they use in their framework of the Helsinki accords—it can't be implemented totally because Japan is not included. And now even if the United States gets agreement with European countries, Japan by itself is a country which can provide the Soviet Union with all necessary technology, trade, and everything.

So, in my opinion, this forum is already not very good, and it's much better if the United States, Japan, Canada, and West European countries, independently of the Soviet Union, try to develop the policy of linkage.

And let me say that this policy is not developed yet at all. It's only slogans until now. Actually, we need—we care to find out how to add apples and oranges, and we don't know yet how to do it because we deal with very divergent things. We move from one point of view or another, of missiles without human beings that would have information, would have trade, and it's not developed actually. This policy doesn't exist as the real developed policy. What does it trade for?

We have to find some common denominator and only then can we really speak about a system for the linkage, which to my opinion, doesn't exist yet.

Chairman D'AMATO. Thank you very much.

Senator Humphrey.

Mr. HUMPHREY. Ms. Laber, I want to first commend you and your organization, Helsinki Watch, for your excellent work and in particular the publication of the report "Tears, Blood and Cries" about the Soviet occupation and bludgeoning of Afghanistan. I think that was a——

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Ms. LABER. I think you might be interested to know that that report has just been translated into Russian.

Mr. HUMPHREY. Good.

Ms. LABER. We hope to have it distributed as widely as possible to the Soviet people, the only people who don't really know what's going on in Afghanistan.

Mr. HUMPHREY. In any event, I congratulate you on that effort. You made a remark about our policy vis-a-vis the Jaruzelski government in Poland. You said that we were duped into restoring or normalizing relations with that country. What did you mean by that?

Ms. LABER. One of the linchpins in withdrawing the sanctions we imposed when martial law was declared in Poland was that political prisoners should be amnestied, and they were.

Mr. HUMPHREY. Yes.

Ms. LABER. We then began one by one to withdraw the various limitations that we had put on our relations with the Polish Government, and they began, one by one, to rearrest all the people they had let out of prison. There are now more political prisoners today than there were——

Mr. HUMPHREY. Is that right?

Ms. LABER. Well, there may be close to 400.

Mr. HUMPHREY. And this progressive deterioration apparently has gone unnoticed by the State Department if you would judge it by the State Department response.

Ms. LABER. I'm sure it hasn't gone unnoticed. The question is, What do we do now, impose the sanctions again? I don't really have a firm position on this, but I know that the way we've been going at it has been wrong; not our motivation, but the——

Mr. HUMPHREY. How could we be so easily duped? I mean, it was fairly obvious, wasn't it, that the Polish Government had reversed course and was tightening—how could we be so easily duped?

Ms. LABER. Well, that's a good question. I think it's a rhetorical question. It appears that we wanted to be duped because the sanctions we imposed were things we were not prepared to continue imposing. Therefore, we seized the most convenient opportunity to pull back.

Mr. HUMPHREY. Just a technical question here so I understand the channels of communication. Ms. Alexeyeva, do you understand English? Did she understand——

Ms. ALEXEYEVA. Yes.

Mr. HUMPHREY. OK. Were you acquainted with fellow members of the Moscow Helsinki Monitoring Group?

Ms. ALEXEYEVA. Yes; I was a member of the Moscow Helsinki Group, and I was an official representative of this group because this group has disbanded, you know. But, when I asked the members of this group what should I do after this situation, they suggested I should continue the activity. For such reason, I think that I am official representative of Moscow Helsinki Group abroad at this time.

Mr. HUMPHREY. Yes; but, what I wondered was did you know Mr. Yarim-Agaev before?

Ms. ALEXEYEVA. Yes; Mr. Yarim-Agaev is the—I think used to be a member of Moscow Helsinki Group. Who was that—in 1978 he

joined our group and he emigrated 3 years after me. But, first I feel that as a founding member of the group, I know better the real impulse of its activity. And, the second, I believe that I know the situation with the Soviet Union very well because I am not only the official representative of Moscow Helsinki Group, but I am an author of the fundamental book, "The Soviet Dissent," which was issued in this year and in which I described all dissident movements in the Soviet Union from the beginning to this time, and I think I'm a specialist.

Mr. HUMPHREY. I'm sure. How many were involved in the Moscow Monitoring Group? How many persons?

Ms. ALEXEYEVA. Fifty of people formerly, but much more active, of course.

Mr. HUMPHREY. And that came into being in 1975, and expired when?

Ms. ALEXEYEVA. The group was formed in 1976, 9 months after the Helsinki accords.

Mr. HUMPHREY. And when did that cease to exist as an operating group?

Ms. ALEXEYEVA. This group was disbanded in September 1982.

Mr. HUMPHREY. Ms. Alexeyeva, you advocate a shift now. You say another step is needed, a second step, a shift from verbal criticism from words to punitive measures; the establishment of strict linkage between human rights policies of the signatories and the granting of credits and access to scientific achievements and technology, condition of trade agreements. Did you and Mr. Yarim-Agaev write your remarks together?

Ms. ALEXEYEVA. I don't share Mr. Yarim-Agaev's evaluation of the Helsinki accords.

Mr. HUMPHREY. Yes, but——

Ms. ALEXEYEVA [translated]. And, a lot of the proposals which he made I agree with. However, I think they could be done to supplement the Helsinki process, not to oppose it.

Mr. HUMPHREY. Yes, but you do agree with his remarks with respect to linkage?

Ms. ALEXEYEVA. Yes.

Mr. HUMPHREY. So, Yarim-Agaev, if the rest and the other signatories were to reinstitute, or perhaps I should say institute, linkage to follow Ms. Alexeyeva's advice to shift the verbal criticism to punitive measures along the lines you suggested, would you then feel more optimistic about the Helsinki process?

Mr. YARIM-AGAEV. I think, there is some mixture of terms: the Helsinki accords and the Helsinki process, and we use different terms. If by the Helsinki process we mean the policy of implementation of the linkage between security, cooperation, and human rights, I totally support it, the name is not important to me.

The term "Helsinki accords" denotes particular formal agreement only, and I consider this agreement counterproductive and working against linkage. It becomes a kind of wastebasket, for this very principle. The Geneva talks go beyond linkage. The scientific cooperation goes beyond linkage. Mr. Baldrige goes to Moscow—linkage doesn't participate in his trade settlements. And when you mention linkage you would hear: "Oh, we have Helsinki accords already."

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I also want to mention that I do not like that punitive measures. I do not think we are talking about punishment. The question is, Why has the United States, have to extend credits to the Soviet Union. I don't think that not extending credits is a punishment. It is not only the question of rhetoric, it is a question of principle.

Mr. HUMPHREY. Yes.

Mr. YARIM-AGAEV. Every time America gives something to the Soviet Union, it should ask the question, "Why give?", rather than "why not give?"

Mr. HUMPHREY. Very good point. One last question, Mr. Yarim-Agaev. Would you care to comment on the conduct—within this area of human rights, would you care to comment or evaluate the performance of the present American administration in its conduct of foreign policy toward the Soviet Union with respect to human rights?

Mr. YARIM-AGAEV. I used to judge according to results and all of us agree that the results are extremely negative. Five Helsinki monitors died recently in labor camps. So, I cannot praise this policy when some of my friends have died and others continue to serve their terms in prisons and labor camps. Unfortunately, I can't say anything positive.

Mr. HUMPHREY. Do you feel that the American Government has complicity in those deaths?

Mr. YARIM-AGAEV. I do feel that there is a complicity. I gave examples of Geneva talks and trade agreements, where we see the lack of linkage. Those two processes are under direct responsibility of the American Government. Scientific exchange is a more complicated issue, because the National Academy of Sciences is an independent institution. Yet, I think that the American Government has some influence on its policy also.

Mr. HUMPHREY. Thank you very much.

Chairman D'AMATO. Congressman Hoyer.

Cochairman HOYER. Thank you. I apologize for having to leave. I went to vote, and I apologize also for missing your oral statement, although I've read your written statement.

Ms. Laber, let me ask you, if I may. Obviously, one of the purposes of this hearing is to look over the past 10 years of progress or the lack of progress in the Helsinki process and ask where do we go from here. We've focused a lot on the Soviet Union. First, focusing on other Eastern bloc nations, can you give me an overview of what progress you think we've made there or what positive aspects there have been, if any. Are there any positive trends occurring as a result of the process?

Ms. LABER. Unfortunately, the situation in Eastern Europe is also deteriorating, rather than improving. It's very important to keep watching Eastern Europe, however, because there is a lot of turbulence there as well.

I don't have to tell you about Poland. Despite the fact that there's been such a crackdown there, there's a huge amount of popular activity, not even underground. There is also a Polish Helsinki Committee functioning actively in Poland issuing voluminous reports on every aspect of the Helsinki process. There was a report for the Ottawa meeting. There's a report for Budapest. There's a report marking every step in the Helsinki process.

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Poland of course, is not what it was like at the height of Solidarity. There is a crackdown there. How long they can continue is not clear. Czechoslovakia is as grim today as the Soviet Union, perhaps more-so because there hasn't been a change in leadership there or any pretense of change.

Hungary remains one of the brighter spots, but the situation there is very fragile. The mechanism is all in place to crack down at anytime the government sees fit. Romania is perhaps the greatest potential powder keg in Eastern Europe at the moment. This country has been given most-favored-nation treatment by the United States in a misguided attempt that has not produced any positive action by the Romanian Government. The situation in Romania at the moment is as repressive as in any country, including the Soviet Union. It's compounded by the fact that the economic situation is desperate. Unknown numbers of people apparently died from exposure during the course of this past winter when heat was turned off for long periods during the day.

I met with Father Calciu yesterday—you probably met him also. I know he testified before the Commission. He told us, as just one small example, that in a hospital near his home, 93 infants died in 1 month because the electricity was turned off in the hospital at 4 o'clock in the afternoon, including all the incubators. According to Romanian law, births cannot be registered now until a month after they take place, a way of keeping down the figures on infant mortality.

Things are bad in Eastern Europe. They're terrible. They're also more turbulent at the moment than in the Soviet Union. We must not neglect those countries. They are part of the Helsinki process. We must not use the process as a confrontational forum between the United States and the Soviet Union and lose sight of the fact that there are 35 signatory countries.

Malta is also going through a terrible time right now. I don't know if anyone is paying attention to the abridgment of human rights there or the movement toward totalitarism.

I think our government tends to take a counterproductive, self-righteous attitude in the Helsinki forum.

It's important to acknowledge that we have our own shortcomings, that the purpose of the process is to talk about shortcomings—to openup our books to their scrutiny so that they will openup their books to our scrutiny.

Perhaps what's emerging from this hearing, and it is interesting, is that our words should be supported by actions and that they should be strong actions. Perhaps we've gone about as far as we can go with rhetoric alone, and now we have to back it up with consistent actions that will demonstrate the purpose of linkage.

I'm certainly not suggesting that we stop reminding the Soviets of their human rights abuses. But we have to put some real meaning behind what this government stands for; why we're concerned about human rights, why we're the freest country in the world. I think we forget that. We become involved in punitive verbal attacks during which the tone can very quickly become self-righteous, which is not what we want. I think we have to watch how we say these things.

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Cochairman HOYER. Unfortunately, we've scheduled this hearing to end at 1 o'clock and, thus, I will have to limit my questions. Ms. Laber, what action do you think would be appropriate and what impetus should lead to those actions? As a follow-on to that last question, under what circumstances, if any, do you believe your organization might think that the abrogation or at least the lack of participation by the United States in the Helsinki process would be justified?

As I understand your testimony and your positions, which I share as you know, is that the Helsinki process offers a positive, effective forum in which we ought to be participating. Do you see any circumstances under which that premise would not be correct, in which you think we would take action similar to what has been proposed?

Ms. LABER. Well, that's a—I mean——

Cochairman HOYER. In other words, what I'm getting at is——

Ms. LABER. You're asking under what circumstances would I take Dr. Yarim-Agaev's point of view. We're a nongovernmental organization involved in what has become a growing movement of Helsinki groups throughout the Western World. We're very deeply involved in something that would continue even if the review meetings, the governmental process, stopped. That was a point I tried to make in my testimony.

There are people in the Helsinki countries who have died because they believed in the Helsinki accords. These Helsinki monitors—the phrase has become almost a cliché—are people who have wanted nothing for themselves. All they did was report what was happening to their colleagues. They believed in citizens' rights, in the right to act upon their rights. They issued reports. They said, "this guy has been thrown in prison." Suddenly, they became victims themselves. We use them as symbols for what's happening to large segments of the population.

The monitors sacrificed their freedom. Some have died because they believed in a document that our government signed. Even if the governmental process fell apart completely—and I truly hope it does not—citizens' groups in other countries that are free to operate as we are here—and I have in mind our nine other groups in Western Europe and Canada—must continue. We are able to keep up the cause for people who are not able to do it so easily themselves. That's how I see it from a nongovernmental point of view.

Cochairman HOYER. I wasn't going to followup on that but obviously, the issue is one that the Commission has to consider and should have responses to or some thoughts about, at least, when we have a recommendation that we withdraw as a policy option for the United States. It's certainly something that we ought to think about and the Commission would be interested in the future, perhaps, to having your thoughts on that.

Ms. Alexeyeva, I don't know how good a feel you have for it, but there is some thought in the United States that with the change of leadership, a younger leadership, in the Soviet Union, there may well be a chance for progress in the area of human rights. I'd like to have your views on that, whether you think under the Gorbachev leadership there is the prospect for progress in this area.

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Clearly Gorbachev's responses, as Senator D'Amato has properly pointed out, have not been positive either during his visit to England or France. I'm interested in your views as to whether you think there is any, in effect, window of opportunity here for possible progress?

Ms. ALEXEYEVA. Excuse me. I will answer in Russian. [Translated.] Of course, before Gorbachev came to power, it was very difficult to have any hopes for positive change because everyone was waiting for the change of government or the change of leaders.

Gorbachev will have to change some things. He's too young not to rule for a long time in the Soviet Union and not do anything and have things fall—cave in around him.

Of course, the question is what kind of changes will there be and in what direction, and how rapidly. And of course here, the position of the West, particularly the position of the United States will have a great impact on how rapidly and in what direction changes will be made.

Of course, one shouldn't exaggerate the degree to which Gorbachev differs from earlier Soviet leaders in his mentality and his approach. He's more than likely to basically continue with a lot of their positions. Only events, or only circumstances of which he has inherited from the people who preceded him might—and lead to a very difficult situation might, in fact, force him to adopt radical or far-reaching changes.

Mr. Yarim-Agaev spoke of the financial crisis confronting the Soviet Union, and of course, that's so. I think it's likely that the Soviet Union would give—would make certain changes in exchange for credits, but the question is, these changes have to be requested and have to be made very specifically and consistently before there can be any changes.

Another important need of the Soviets is access to Western technology, and here again, demands with specific changes must be made in exchange for access to Western technology. And again, these demands should be made in a very consistent and tough manner.

I note there's also a point of view that says demands for a general improvement in the rights situation in the Soviet Union to some degree is contradictory to requesting the release of a specific prisoner or a series of prisoners.

But, of course, the improvement in the general situation can only be shown, the indicator for that would be the release of specific prisoners. Therefore, to request such release should be seen not only as a humanitarian gesture, but also as an important political tactic.

Cochairman HOYER. Thank you. Doctor, two questions quickly, if I may move on. First, what alternative would there be to the abrogation of our participation in the Helsinki process?

Dr. YARIM-AGAEV. All other transactions with the Soviets in which America has leverage: arms control, trade, scientific exchange. And those are clear alternatives to implementing policy of the linkage between cooperation, security, and human rights. And they are real in a sense, that the Soviets want something from America in each of these cases, and they can give something in

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return. As to the Helsinki accords, the Soviets no longer need anything from it.

Cochairman HOYER. Do you recommend unilateral withdrawal by the United States?

Dr. YARIM-AGAEV. Well, I think it doesn't matter. I think if the United States withdraws, the accords collapse automatically.

Cochairman HOYER. Do you think the process collapses without the United States?

Dr. YARIM-AGAEV. I think so. It is based on the overall consensus. I think that even if a smaller country were to withdraw from the accords, they will collapse. And if the United States leaves them, they will inevitably collapse.

Cochairman HOYER. What do you think the propaganda ramifications, if any, would be from the United States' unilateral withdrawal?

Dr. YARIM-AGAEV. I suppose you are mainly concerned with the relations with Western Europe and possible negative consequences. To avoid such consequences the United States should coordinate its actions with Western European governments and suggest them more proper forms for implementation of the policy of the linkage. And, as I said, Japan should be included in this process. You cannot implement satisfactorily the linkage policy without Japan, it is certainly impossible.

I think the framework of summit meetings of the leaders of developed industrial countries can be good to discuss and develop the policy of linkage. It is a more proper forum than the Helsinki review meetings.

Cochairman HOYER. Thank you. Thank you, Senator.

Chairman D'AMATO. Thank you. Let me thank our staff for putting together this hearing. Let me also thank all of the groups and the individual participants who are here for taking their time to participate. Accurately, the question is more properly asked not whether or not the Helsinki process should be continued, but rather how we can make the process more effective.

Can we make it more effective? Can linkage be created? What must we do to make linkage a reality, if indeed most people believe it is necessary? Those are the questions that have to be answered.

Some suggestions have been made. Some caveats exist when you pursue a policy without the benefit of a coordinated approach with other governments. Such policies have been less than successful as some have pointed out, but those are the issues that we grapple with. We'll have another hearing pursuing this area of thought.

I'd like to thank my cochairman again, as well as the staff and those who participated.

This hearing stands in recess.

[Whereupon, the proceedings were adjourned at 1 p.m.]

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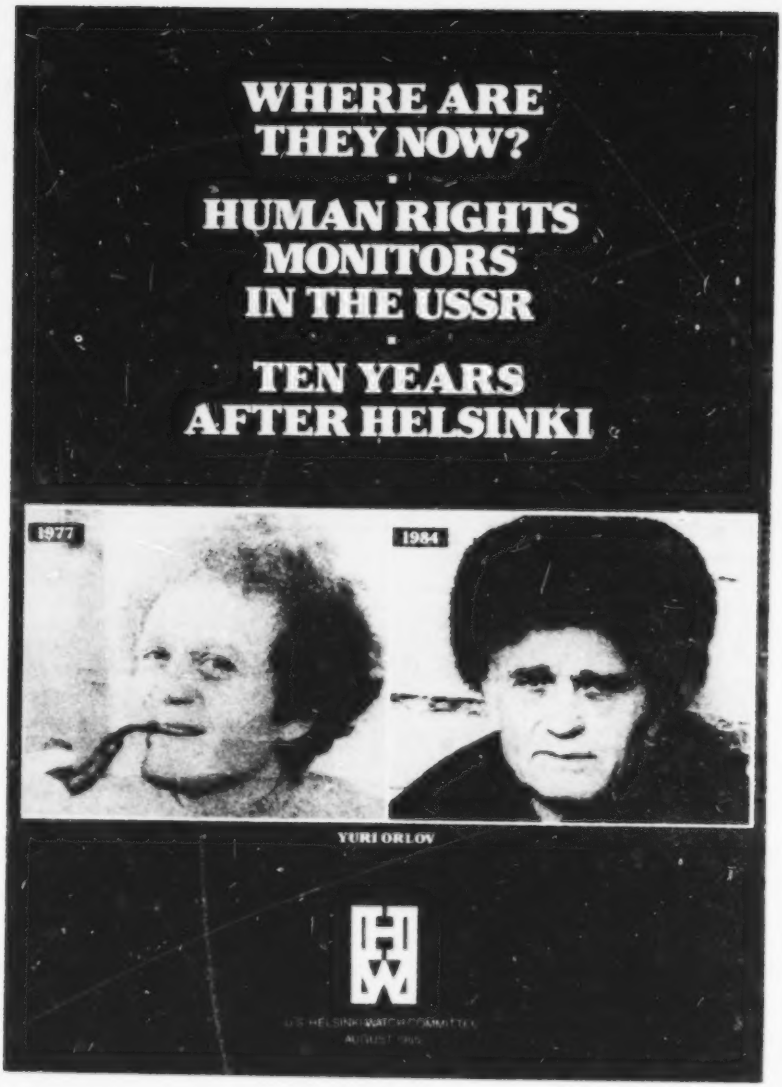
APPENDIX 1


WHERE ARE
THEY NOW?
HUMAN RIGHTS
MONITORS
IN THE USSR
TEN YEARS
AFTER HELSINKI
1977
1984
YURI ORLOV

The men and women listed here are members of Helsinki Watch Groups and affiliated human rights committees in the Soviet Union. Their "crime" was that they issued reports about their government's abuse of the human rights provisions of the Helsinki Final Act, signed by the USSR and 34 other nations on August 1, 1975.

Physicist Yury Orlov and his colleagues announced the formation of the Moscow Helsinki Watch Group on May 12, 1976. In the next year, analogous Helsinki groups were founded in the Ukraine, Lithuania, Georgia, and Armenia. Other special interest groups were formed in response to the Helsinki Final Act, including the Working Commission to Investigate the Abuse of Psychiatry, the Initiative Group in Defense of Invalids' Rights, the Christian and Catholic Committees to Defend Believers' Rights, and the human rights groups of the Seventh Day Adventists and Pentecostals. These groups compiled hundreds of reports on human rights abuse in the USSR and submitted them to the Helsinki review conferences in Belgrade and Madrid.

Over the years, more than 100 people openly became members of the Helsinki groups and their affiliates. Today, 51 are incarcerated in prisons, labor camps, and psychiatric hospitals, or are serving terms of exile. Four have died after years of mistreatment in Soviet labor camps, and one was killed in a car accident under suspicious circumstances. Twenty others have been released after serving sentences, but live under the constant threat of a new arrest. Seventeen have emigrated to the West because of the threat of imprisonment. The remaining members have been forced to cease their work.

The Moscow Helsinki Group announced in September 1982 that it had been forced to discontinue its activity because its few remaining members were threatened with arrest. Lawyer Sofia Kallistratova, physicist Naum Meiman, and physician Elena Bonner, wife of Academician Andrei Sakharov (Mrs. Bonner was subsequently sentenced to five years of exile.) The groups in the other Soviet republics have virtually disbanded because of persecution and arrests.

Nevertheless, the work of the Helsinki groups continues. Brave individuals continue to risk imprisonment to publicize their government's abuse of civil liberties.

In this brochure we list only those individuals who have been involved with Helsinki groups or their affiliates. There are many others who have formed human rights monitoring committees or edited human rights publications. The most celebrated of these is Andrei Sakharov, the Nobel Peace Prize laureate and physicist who founded the first human rights organization in the Soviet Union, the Human Rights Committee, in 1970. For his courageous work in exposing Soviet human rights abuse and standing up for the rights guaranteed in the Soviet Constitution and international agreements, Dr. Sakharov was banished without trial or sentence to the city of Gorky in January 1980. He has been in exile for more than five years, and the end of his suffering is not yet in sight.

HOW YOU CAN HELP

Concerned people in the West have an obligation to let Soviet officials know that these courageous men and women have not been forgotten. Telegrams and letters asking for the release of the Helsinki monitors should be addressed to:

Mikhail Gorbachev
General Secretary
Communist Party of the Soviet Union
The Kremlin
USSR

This brochure provides the home and prison addresses of the monitors. You can send them letters and birthday and holiday greetings. Soviet postal censorship is very strict, but some letters do get through, particularly those addressed to persons in remote places of exile. We urge you to write. Even if most letters do not get through, they let Soviet officials know that there are still people who care.

Expressions of concern can prevent worse treatment of these prisoners. They may prevent them from being re-sentenced as they reach the end of their terms, or from being brutally or inadvertently or unjustly confined here. The existence of further prisoners begins nowhere to this. Soviet labor camp authorities have been known to lessen the harsh treatment of certain prisoners in response to concerted mail campaigns.

NOTE

The articles in the Russian Criminal Code most commonly used to suppress human rights monitors are Art. 190-1 ("dissemination of deliberately false fabrications that slander the state"), Art. 70 ("anti-Soviet agitation and propaganda"), Art. 64 ("treason"), Art. 206 ("hooliganism") and Art. 142 ("violation of the laws on separation of the church and state"). (The other Soviet republics have analogous articles.) Some activists have been sentenced on trumped-up criminal charges.

Soviet prisoners are sentenced to regimens of varying degrees of strictness, with varying degrees of cruelty. Ordinary and cruel punishments are in order of increasing severity: they are: (1) ordinary standard; (2) strict; and special. Prison regimens, both standard and strict, are considered more severe than labor camp regimens.

ADDRESSES OF MAJOR PRISONS AND LABOR CAMPS

Chistopol Prison
ul. Tel. 145, str. 1
Chistopol
Tatarskaya ASSR 422950
USSR

Mordovian Labor Camp
ul. Zhukova-Voiki, 7 (or 3, 4, 5, 7)
pos. Sosnovka
Temgenevskiy rayon
Mordovskaya ASSR 431260
USSR

Perm Labor Camp 35
ul. Vyezzhaya
Chusovskoy rayon
Permskaya obl. 618810
USSR

Perm Labor Camp No. 36, 38-1
ul. VS 389/36 (or 38-1)
pos. Kuchino
Chusovskoy rayon
Permskaya obl. 618262

Perm Labor Camp No. 37
ul. Pozvinka
Chusovskoy rayon
Permskaya obl. 618881
USSR

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SOVIET HELSINKI MONITORS IN PRISON OR EXILE

MOSCOW HELSINKI GROUP

The Moscow Helsinki Group was founded on May 12, 1976. Its chairman was Yuri Orlov.

ELENA BONNER SAKHAROV Born February 15, 1923. Pediatrician. Sentenced to five years of exile on August 17, 1984, under Art. 190-1. Heart disease (has suffered several heart attacks), pneumonia and bloodletting. Four ear injuries. Exile: ul. Gagarina 214, kv. 3, Shcherbinka-2, Gorky 603137, USSR. Wife of Andrei Sakharov, who was exiled to Gorky without trial or sentence.

IVAN KOVALYOV Born November 8, 1934. Engineer. Sentenced to five years strict-regimen labor camp and five years exile. Perm Labor Camp No. 37, Lesnoi-2, Chusovoi, Perm region, 618537, USSR. To be released August 1989. Suffers from results of frequent hunger strikes and starvation diet as punishment, all while he has been held for more than 10 months. Husband of Tatyana Osipova (see below).

ANATOLY MARCHENKO Born January 23, 1938. Worker. Previous terms, 1960-66, 1968-69, 1969-71, 1975-79. Arrested March 17, 1981, and sentenced under Art. 70-2 to 10 years strict-regimen labor camp and five years exile. Perm camp/strict. ulitki after effects of meningitis, deafness, gastritis, arthritis. Severely beaten in his camp, incarcerated in soldiers confinement, denied visits. Perm Labor Camp No. 35, Larymna Bogorsk (wefer) Lesnukski prisyolok 45, kv. 3, Moscow 117261. To be released March 1996.

VIKTOR SERIPILLOV Born September 29, 1929. Pharmacist and poet. Former political prisoner, 1972-75. Arrested December 1979, and sentenced under Art. 70 to seven years in strict-regimen labor camp, and five years exile. Chistopol Prison. High blood pressure, migraine. Chronic nephritis, spinal osteochondrosis, neck tumor. Wife: Vera Kotsarenka (wife), ul. Lugovaya 15, kv. 28, Fryazino, Moscow obl. 141120, USSR. To be released December 1986.

YURY ORLOV Born August 13, 1924. Physicist. Arrested February 10, 1977, and sentenced under Art. 70 to seven years strict-regimen labor camp and five years exile. Currently in exile: pos. Kobrino, Vakushskaya ASSR 617810, USSR. Chronic cystitis, nephritis, after-effects of old skull injury, other chronic illnesses. Irina Valitova (wefer), ul. Profsoyuznaya 84, korp. 1, kv. 1, Moscow 117303, USSR. To be released December 1986.

TATYANA OSIPOVA Born March 15, 1943. Computer programmer. Arrested May 27, 1982, and sentenced under Art. 70 to five years strict-regimen labor camp and five years exile. Mordovian labor Camp No. 1-4, Lesnukha Barashevo camp medical, st. ispol. 28, Barashevski Krasnoslobodski r-kompz 2, kv. 11, 377731, Mordovian ASSR. Wife of Ivan Kovalyov (see above). Chronic hepatitis, endocrine illness, kidney sclerosis, frequent hunger strikes. Responsible in January of additional sentencing for organizing work stoppages and hunger strikes.

FELIKS SERGEEV Born 1938. Worker. Previous terms, 1947-54, 1957-58, 1967-78. Arrested January 9, 1980, and sentenced under Art. 70 to four years strict-regimen labor camp and five years exile. Also member of Psychiatric Commission. Now in exile: ul. Vera Voloshina (wefer), ul. Gertsena 27, kv. 109, Moscow 194044, USSR. High blood pressure, ear damage, severe depression, tuberculosis. To be released January 1990.

ANATOLY SHCHARANSKY Born January 20, 1948. Mathematician and cyberneticist. Arrested March 15, 1977, and sentenced under Art. 64, 70 to three years prison and two years strict-regimen labor camp. Perm Labor Camp No. 35, Ida Mingrul (mother), ul. Kooperativnaya 9, kv. 4, Jaffa, Moscow, ul. 141004, USSR. Vision deterioration, headaches, heart sickness. Severely hospitalized. To be released March 1990.

UKRAINIAN HELSINKI GROUP

The Ukrainian Helsinki Group was founded November 9, 1976. Its chairman was Mykola Rudenko.

VYACHESLAV CHORNOVIL Born December 24, 1937. Journalist. Previous terms, 1967-1969. Arrested January 12, 1972, and sentenced to six years labor camp and three years exile, rearrested in exile April 8, 1980, for joining Helsinki Group and sentenced to five years strict-regimen labor camp under Art. 187 (trumped-up rape charges) and released conditionally to compulsory work until August 1985. Alena Pashko (wefer), ul. Nab. Aleksandra 14, kv. 9, Lvov 290034, Ukrainian SSR, USSR.

MYKOLA HORBAL Born September 16, 1947. Poet and teacher. Previous terms, 1970-1977. Arrested October 23, 1979, and sentenced under trumped-up charges of rape and resisting an officer to five years strict-regimen labor camp. Rearrested in labor camp October 23, 1984, under Art. 190-1 and sentenced to eight years strict-regimen labor camp and three years exile. Olga Shokarel (wife), Prospekt 50-letiya Oktyabrya 61a, kv. 103, Kiev 252152, Ukrainian SSR, USSR.

VITALY KALYNYCHENKO Born 1938. Engineer. Previous terms, 1966-1976. Arrested November 29, 1979, and sentenced under Art. 70 to ten years special-regimen labor camp and five years exile. Chistopol Prison. To be released November 1994. No relatives.

IVAN KANDYBA Born June 7, 1920. Lawyer. Arrested March 24, 1981, and sentenced under Art. 70 to 10 years special-regimen labor camp and five years exile. Previous terms, 1961-76. Perm Labor Camp 36-1. To be released March 1996.

ZINOVY KRASIVSKY Born November 12, 1929. Poet and biologist. Previous terms, 1943-47, 1949-52, 1963-67, 1967-1974. Arrested March 12, 1980, and sentenced to eight years strict-regimen labor camp and five years exile. To be released September 27, 1988. Currently in exile: pos. Lugovoi, Khanty-Mansiisky r-n, Khanty-Mansiisky okr, ulitsa Tranzitnaya 47, 628229, USSR.

YAROSLAV LESIV Born January 3, 1941. Physical education teacher. Arrested November 15, 1979, and sentenced to two years strict-regimen labor camp (in trumped-up narcotics charge (Art. 224-2)). Rearrested in labor camp May 1981 and sentenced to five years strict-regimen labor camp on same charges. To be released November 1986. Labor camp: ul. Shevchenko, Ivano-Frankovskaya obl., Ukrainian SSR 285604, USSR. Mykhailo Lesiv (wefer), ul. Shchorsa 14, Kolomiya, Ivano-Frankovskaya obl., Ukrainian SSR 285400, USSR. Diabetic, heart disease, vision deterioration, ulcers, thrombophlebitis.

LEVKO LUKYANENKO Born August 24, 1928. Lawyer. Previous terms, 1961-76. Arrested December 12, 1977, and sentenced under Art. 70 to 10 years special-regimen labor camp and five years exile. To be released December 1987. Perm Labor Camp No. 36-1, Nikolskoe Lukhovitsky, wefer, ul. Yubileinaya 4/26, kv. 61, Chernigov 250018, Ukrainian SSR, USSR. Gastritis, heart disease, kidney and liver ailments.

MYRONLAS MARYNOVYCH Born January 6, 1949. Electrical engineer. Arrested April 21, 1972, and sentenced under Art. 70 to seven years strict-regimen labor camp and five years exile. To be released April 1989. Dubrul ul. Kazanskaya (home ul. Lenina 66, pos. Kalinovka, Vasilkovsky r-n, Kievskaya obl., Ukrainian SSR 251166, USSR. Radiculitis.

MYKHAILA MATUSEVYCH Born July 19, 1947. Historian. Member of Ukha Pravda. Arrested April 19, 1977, and sentenced under Art. 70 and Art. 206-2 to seven years strict-regimen labor camp and five years exile. To be released April 1987. High blood pressure, heart disease. Currently in exile: Krasnoarmeiskaya Mikhailovich (mother), ul. Gagarina 18, kv. 31, Vasilkov, Kievskaya obl., Ukrainian SSR, USSR.

OLHA HEYKO MATUSEVYCH Born September 5, 1951. Philologist. Arrested March 12, 1980, and sentenced to three years standard-regimen labor camp under Art. 190-1. Rearrested in labor camp March 1983 and sentenced to three years strict-regimen labor camp. To be released March 1990. Mordovian Labor Camp 3-4. Wife of Mykola Matusevych (above).

OKSANA MESHKO Born January 30, 1945. Teacher. Previous terms, 1947-1955. Arrested October 14, 1980, and sentenced under Art. 70 to six months strict-regimen labor camp and four years exile. To be released April 1986. Diabetes, rheumatism, high blood pressure. Currently in exile: ul. Vostochnaya 28, s. Novo-Ayano-Mayski, ra., Khabarovskay krai 682050, Ukrainian SSR, USSR.

MART NIKLUS Born September 22, 1934. Zoologist. Estonian activist who joined group in labor camp. Arrested April 29, 1980, and sentenced under Art. 70-2 to ten years special-regimen labor camp and five years exile. To be released April 1990. Previous term, 1958-66. Chistopol Prison until August 1986. Kadriorgite, Gloorde Niklus (mother), Uderkaare 25, Tartu 202406, Estonian SSR, USSR.

YASELY IVSHENKO Born April 8, 1949. Philologist, teacher. Arrested February 9, 1978, and sentenced to three years strict-regimen labor camp under Art. 191-2. Rearrested in labor camp in 1981 and sentenced to 10 years special-regimen and five years exile under Art. 70-2. To be released 1996. Previous term, 1972-76. Heavy rheumatism, heart disease. Perm Labor Camp 36-1. Nadezhda Nikolaevna Ivshenko (wefer), ul. Komsomolskogo 4, kv. 143, Kiev 252090, Ukrainian SSR, USSR.

OKSANA POPOVYCH Born February 2, 1929. Electrical worker. Joined group in labor camp. Previous terms, 1944-1954. Arrested October 28, 1978, and sentenced to 8 years strict-regimen labor camp and five years exile under Art. 70. To be released October 1987. Currently in exile: ul. Dzerzhuni 71, kv. 1, s. Mukhtasovo, Mukhtasovskiy ra., Tomskaya obl. 636220, USSR.

MYKOLA RUDENKO Born December 19, 1920. Writer. Arrested February 5, 1977, and sentenced under Art. 70 to seven years strict-regimen labor camp and five years exile. Currently in exile: ul. Mendeleiv, 3, kv. 30, s. Mikolta, Lesno-Mikolskaya AO, Mikolskiy raion 617731, USSR. Was nervous and mental, injured spine, heart disease, high blood pressure, vision deterioration, other chronic diseases.

YURY SHUKHEVYCH Born March 29, 1926. Electrician. Previous terms, 1949-56, 1956-66, 1968-69. Joined group while in labor camp. Arrested March 29, 1972, and sentenced under Art. 70-2 to ten years special-regimen prison and five years exile. To be released March 1988. Currently in exile: Lesnaya dacha, p-t Oktyabrskoe, Shegarskiy ra., Tomskaya obl., USSR. Virtually blind, severe heart disease, other chronic ailments.

DANYLO SHUMUK Born January 30, 1914. Worker. Previous terms, 1932-39, 1945-56, 1967-67. Joined group in labor camp. Arrested January 12, 1972, and sentenced to 10 years special-regimen labor camp and five years exile. To be released January 1987. Currently in exile: ul. Kurinogina 1 a, Kirsanov, Tambovskaya obl., Russian SSR 393760, USSR.

PETRO SICHKO Born August 15, 1923. Engineer and economist. Previous term, 1941-1953. Arrested July 1, 1979, and sentenced to three years strict-regimen labor camp under Art. 190-1. Rearrested in labor camp May 20, 1982, and sentenced to seven years additional strict-regimen labor camp. To be released May 1996. Father of Yaroslav Sichko (below). Tetiana Petrivna (wefer), ul. 17 Marriage 14, Dvirna, Ivano-Frankovskaya obl., 276400, Ukrainian SSR, USSR.

OSTAP SICHKO Born December 22, 1946. Former journalist and activist. Arrested July 1, 1979, sentenced under Art. 190-1 to three years strict-regimen labor camp. Rearrested in labor camp December 1981 on trumped-up narcotics charge and sentenced to three years strict-regimen labor camp. Son of Petro Sichko (above). To be released July 1985.

IVAN SOKULSKY Born July 12, 1940. Poet, musician. Previous term, 1969-74. Arrested April 11, 1980, and sentenced under Art. 70-2 to ten years special-regimen labor camp and five years exile. To be released April 1990. Chistopol Prison. Anna Sokulska (wife), ul. Kuznets 2, Pridneprovsk, Dnepropetrovsk, Ukrainian SSR, USSR.

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SOVIET HELSINKI MONITORS IN PRISON OR EXILE

VASILY STRILTSOV Born January 13, 1929. English teacher. Previous term: 1944-54. Arrested October 23, 1979 and sentenced on charges of violating passport regulations to two years strict-regimen labr c amp. Rearrested in camp on October 20, 1981 and sentenced to seven years strict-regimen labor camp and four years exile under Art. 70. To be released October 1992. Mordovian labor Camp No. 3-3.

VASILY STUS Born January 8, 1938. Poet. Previous terms: 1972-1979. Arrested May 18, 1980, and sentenced under Art. 70-2 to 10 years special-regimen labor camp and five years exile. To be released May 1995. Perm Labor Camp No. 36-1. Valentina Popelnukh (wife), ul. Chernobylskaya 13a, ks. 99, Kiev 252179, Ukrainian SSR, USSR. Severe heart disease, ulcers.

IOSIF ZISELS Born December 2, 1946. Radio engineer. Previous term: 1978-81. Arrested October 19, 1984, and sentenced to three years labor camp. Ulcers, Irina Zisels (wife), ul. Gazeiny 9, ks. 73, Chernovtsy 274029, Ukrainian SSR, USSR.

LITHUANIAN HELSINKI GROUP

The Lithuanian Helsinki Group was founded on November 25, 1976.

BALYS GAJAUSKAS Born February 26, 1929. Electrician. Previous term: 1948-1972. Joined group while in labor camp. Arrested April 20, 1977, and sentenced under Art. 70-2 to 10 years special-regimen labor camp and five years exile. To be released April 1992. Perm Labor Camp 36-1. Incarceration in punishment cell, denial of packages, visits. Irena Gaisauskiene (wife). Spitta 1-9, Kaunas, Lithuanian SSR, USSR.

VIKTORAS PETKUS Born December 10, 1929. Literary critic. Previous term: 1947-55, 1958-65. Arrested August 23, 1977, and sentenced to 10 years special-regimen labor camp (including three years in prison) and four years exile. To be released August 1992. Perm Labor Camp 36-1. Natalya Burokevichi-Petkuviene (wife), S. Daugirdenos 40-1, Vilnius, Lithuanian SSR, USSR. Suspected cancer. No news of him received for many months.

VYTAUTAS SKUODIS Born March 21, 1929. Geologist, university instructor. Arrested January 9, 1980, and sentenced under Art. 70-2 to seven years strict-regimen labor camp and five years exile. To be released January 1992. Mordovian Labor Camp 3-3. Irena Ivinskaite (wife), Vagonkovskaya 11-4, Vilnius, Lithuanian SSR, USSR.

ALGIRDAS STATKEVICIUS Born April 3, 1953. Psychiatrist. Arrested February 14, 1980, under Art. 70 and incarcerated in an indefinite period in Tashkent Special Psychiatric Hospital. Other Charges: Previous term: 1973-1980. Status unknown. Ulcerative Colitis. Vilnius, Lithuanian SSR, USSR.

ARMENIAN HELSINKI GROUP

The Armenian Helsinki Group was founded on April 1, 1977. Its leader was the late Eduard Arutyunyan. Currently none of its members are imprisoned.

GEORGIAN HELSINKI GROUP

The Georgian Helsinki Group was founded in January, 1977. Its leader was Zviad Gamsakhurdia.

MERAB KOSTAVA Born May 19, 1939. Music critic. Arrested April 7, 1977, and sentenced under Art. 70 to three years labor camp and two years exile. Rearrested in exile in November 1981 and sentenced to four more years of strict-regimen labor camp. To be released December 1986, exile 1R-222. Ul. Augusta, Irkutskaya obl., USSR. Konstan Berdzie (wife), ul. Dzhavakhishvili 1, Thilisi, Georgian SSR, USSR.

PSYCHIATRIC COMMISSION

The Working Commission to Investigate the Abuse of Psychiatry for Political Purposes was founded on January 5, 1977, under the aegis of the Moscow Helsinki Group. It was forced to cease its activities in 1981 after all its members had been arrested.

VYACHESLAV BAKHMIN Born September 23, 1947. Computer scientist. Arrested 1980 and sentenced under Art. 190-1 to three years standard-regimen labor camp. Rearrested in 1982 and sentenced to additional year. Rearrested February 24, 1983, and sentenced under Art. 206 to one year compulsory labor in Kolpino Tikvinsk Khrunichev (wife), ul. Bankalskaya 49, korp. 2, ks. 52, 187437 Moscow, USSR. To be released February 1986.

ANATOLY KORYAGIN Born September 15, 1938. Psychiatrist. Consultant to Working Commission. Arrested February 11, 1981. Sentenced to seven years strict-regimen labor camp and five years of exile. To be released February, 1993. Repeated, severe beatings in labor camp, four-month hunger strike. Unable to eat normally, very poor condition. Chestnyd Prisca, Galina Koryagina (wife), ul. Pionerskaya 10, ks. 79, Kharkov, Ukrainian SSR, 310111, USSR.

FELIKS SERE BROV (see above, under Moscow Helsinki Group).

CHRISTIAN COMMITTEE TO DEFEND BELIEVERS' RIGHTS

The Christian Committee was founded on December 27, 1976, as a response to the signing of the Helsinki Accords.

FR. GLEB YAKUNIN Born March 4, 1934. Russian Orthodox Priest. Arrested November 1, 1979, and sentenced under Art. 70 to five years strict-regimen labor camp and five years exile. Currently in exile. To be released October 1985. Ulaver, Irunda Yakunina (wife), ul. Dekabrist 10, korp. 1, ks. 45, Moscow 129626.

SEVENTH DAY ADVENTISTS

The Group for the Struggle and Investigation of Facts About the Persecution of Believers in the USSR of the Reformed Church of the Faithful and Free Seventh-Day Adventists was formed on May 11, 1978, in response to the signing of the Helsinki Accords and the Belgrade review meeting.

KONSTSLAV GALETSKY Born 1949. Church leader. Arrested July 1, 1980, and sentenced to five years standard-regimen labor camp under Arts. 140-1, 227. To be released July 1985. Galina Galetskaya (wife), ul. Severnikova 91, st. Pervomaiskoe, Nemanskiy raion, Sverdlovskaya obl., USSR.

CATHOLIC COMMITTEE TO DEFEND BELIEVERS' RIGHTS

The Catholic Committee was founded on November 14, 1978, and appeared to the Madrid review conference of the Helsinki Accords.

FR. ALFONSAS SVARINSKAS Born January 21, 1923. Catholic priest. Arrested January 28, 1983, and sentenced under Art. 70 to seven years strict-regimen labor camp and three years exile. Previous terms: 1947-48, 1958-64. Perm Labor Camp No. 36. Justina Cepukiene (wife), Vaitkose 14, Kaisiadoris 74, Lithuanian SSR, USSR.

FR. SIGITAS TAMKEVICIUS Born November 7, 1948. Catholic priest. Arrested May 5, 1983, and sentenced under Art. 70 to ten years strict-regimen labor camp and four years exile. To be released April 1993. Perm Labor Camp No. 37. Mother Darvina 12, Anyksciai, Utenskaya ra., Lithuanian SSR, USSR.

CHRISTIANS OF THE EVANGELICAL PENTECOSTAL FAITH

The Pentecostals group was founded on May 11, 1978, to protect the civil rights of members of the unregistered church. One way in which it public and its connection was through the Moscow Helsinki Group. A new appeared to the Helsinki review conferences.

NIKOLAI BARANN Born March 29, 1945. Construction worker. Arrested August 9, 1982, and sentenced to five years strict regimen labor camp under Art. 70. To be released August 1987. Previous terms: 1966, 1982. Perm Labor Camp No. 37. Heart disease, lung disease, nephritis. Galina Sarana Nikolaevskaya (wife), ul. Narodnaya Opolchenia 45, korp. 1, ks. 10, Moscow, 123060, USSR.

NIKOLAI BOBRYKIN Born January 31, 1932. Deacon. Arrested November 1980 and sentenced to six years strict-regimen labor camp and five years exile under Art. 70. To be released November 1991. Perm Labor Camp No. 35. Alla Bobrykina (wife), ul. Tamanskaya 24, st. Staroticheevskaya, Belgorodskiy raion, Krasnodarskiy kray 353530, USSR.

NIKOLAI GORETOI Born December 12, 1921. Bishop. Arrested December 13, 1979, and sentenced to seven years strict-regimen labor camp and five years of exile under Art. 70. To be released December 1991. Previously served six years in the 1960s. Perm Labor Camp No. 37. Almost blind, severe, has only one lung. Varvara Goretoi (wife), ul. Pervomaiskaya 68, st. Staroshtanovskaya, Temryukskiy raion, Krasnodarskiy kray 353500, USSR.

FYODOR STOYENKO Born March 22, 1926. Arrested October 19, 1970, under Art. 190-1 and incarcerated in psychiatric hospital for indefinite term. Previous term: 1965-70. Ukhtymzhitovskaya SPB, ucha - OM-236, st.-2, Chernyakhovsk, Kaliningradskaya obl., 238300, USSR. Vera Stoienko (wife), ul. Tamanskaya 42, st. Staroticheevskaya, Temryukskiy raion, Krasnodarskiy kray 353530, USSR.

COUNCIL OF RELATIVES OF EVANGELICAL CHRISTIAN BAPTIST PRISONERS

The Council is a civil rights association formed in February 1964 in response to persecution of the church. It worked closely with the Moscow Helsinki Group and has appealed to Helsinki review conferences concerning repression of the independent Baptist church in the USSR.

LIDIYA BONDAR Born August 11, 1935. Arrested April 21, 1982, and sentenced to three years strict-regimen labor camp under Art. 142. To be released April 1985. Previously served labor camp sentence from 1977-74. Marfa Semyanivich (sister), ul. Mashkova 11, 150000, Krasnodar, USSR.

INITIATIVE GROUP FOR THE DEFENSE OF THE RIGHTS OF BELIEVERS AND THE CHURCH

The Initiative Group was founded in 1982 to monitor and protect religious persecution and seek the legalization of the Ukraine Church in the Ukraine and Eastern rite Catholic church that operates under the Pope. Its first chairman was Iosif Terelya, after his 1982 arrest. Vasili Kobzar became acting chairman.

IOSIF TERELYA Born October 27, 1943. Worker. Arrested February 9, 1982, and charged under Art. 70. Receiving trial. Previously served a total of 15 years in labor camp and forced psychiatric confinement. Olga Terelya (wife), ul. Lipa Mava 9, v. Dolgoe, Drohobych raion, Zakarpatskaya obl. 294212, Ukrainian SSR, USSR. Damaged spinal cord, ulcers, liver and heart ailments.

VITALY KORIEN Born 1939. Television technician. Arrested November 12, 1984, and sentenced under Art. 190-1 to three years standard-regimen labor camp. Home: ul. Kuibyshevskogo 2, g. Sedetka, Pervomaiskiy raion, Luganskaya obl., Ukrainian SSR, USSR.

INITIATIVE GROUP FOR THE DEFENSE OF THE RIGHTS OF INVALIDS

The formation of the Invalids' Group was announced at a press conference of the Moscow Helsinki Group on October 24, 1978. It seeks equal rights and improved conditions for disabled persons. In January 1982, an analogous group was formed in the Ukraine.

NIKOLAI PAVLOV Born 1947. Disabled since childhood. Arrested February 28, 1981, and sentenced to five years of exile under Art. 70. Family of Lugansk 5, ks. 8, Gorkovenka, Belgorodskaya obl., 309500, USSR. Mordovia 3-3.

VASILY FERVUSHIN Disabled war veteran. Arrested June 2, 1983, tried on November 11, 1983, and incarcerated indefinitely in a psychiatric hospital. Previously served terms in psychiatric hospital. Anna Afanasieva (Special Psychiatric Hospital, ulet LA-155-7, pos. Aleksandrovka, Dzhgar, Atbasa Akmolinsk obl., Kazakh. USSR. Daughter: ul. Lugansk 31a, ks. 79, Novosibirsk, 630058, USSR.

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FORMER HELSINKI PRISONERS IN THE USSR

The following individuals have served sentences in prison, labor camp or exile for their activities in Helsinki groups or became members of groups while serving sentences. Some have ceased their activities since their release, but all are under the threat of rearrest and suffer continuous harassment. Some who formerly resided in Moscow and have served their exile terms have not been permitted to return to Moscow and thus continue to live in *de facto* exile.

Moscow Helsinki Group

Malva Landa — Six years exile.

Vladimir Slepak — Five years exile.

Leonard Ternovsky — Three years standard-regimen labor camp. (Also belonged to Psychiatric Commission.)

Ukrainian Helsinki Group

Oles Berdnyk — Six years strict-regimen labor camp, three years exile. Released early.

Bohdan Rebryk — Seven years labor camp, three exile. Joined while in labor camp.

Vasyl Romanyuk — Seven years special-regimen labor camp, three years exile. Joined while in exile.

Petro Rozumnyy — Three years standard-regimen labor camp, released early to obligatory labor.

Iryna Senyk — Six years strict-regimen labor camp, five years exile. Joined while in exile.

Stefaniya Shabatura — Five years strict-regimen labor camp, three years exile. Joined while in exile, stopped participation in 1986.

Lithuanian Helsinki Group

Mecislovas Jurevicius — Three years strict-regimen labor camp.

Vytautas Vaiciunas — Two and a half years of standard regimen labor camp.

Georgian Helsinki Group

Zviad Gamsakhurdia — Three years strict-regimen labor camp, two years exile. Committed to exile and eventually pardoned.

Grigory Goldshtein — One year standard-regimen labor camp.

Viktor Riskhiladze — Two and a half years labor camp (suspended), two years exile.

Armenian Helsinki Group

Shagen Arutyunyan — Three years strict-regimen labor camp.

Robert Nazaryan — Four years strict-regimen labor camp.

Psychiatric Commission

Irina Grivnina — Five years exile. Served three with subtraction of time for period spent in pre-trial detention. Five years exile.

Aleksandr Podrabinek

Christian Committee

Viktor Kapitanchuk — Arrested and given suspended sentence.

Pentecostals Group

Boris Perchatkin — Two years standard-regimen labor camp.

HELSINKI MONITORS WHO HAVE DIED

Moscow Helsinki Group

Vitaly Rubin — Died in a car accident in Israel in October 1981.

Ukrainian Helsinki Group

Yury Lytvyn — Died in 1984 while serving sentence of ten years special-regimen labor camp and five years exile.

Oleksa Tykhy — Died in 1984 while serving sentence of ten years special-regimen labor camp and five years exile.

Lithuanian Helsinki Group

Ona Lukauskaite-Poskiene — Died in December 1983 at the age of 72.

Kazimiera Garuckas — Died of cancer in April 1979.

Bronius Laurinavicius — Killed in a traffic accident suspected to have been arranged by the KGB in November 1981.

Armenian Helsinki

Eduard Arutyunyan — Died in November 1984 of cancer while serving a sentence of three years labor camp after his arrest in 1982. Previous term: three years labor camp 1979-81.

Psychiatric Commission

Irina Kaplun — Died in a car accident in the USSR.

Seventh Day Adventists

Vladimir Shelkov — Died in labor camp in 1980 at the age of 64 while serving a five-year strict-regimen labor camp sentence.

Christian Committee

Galina Vins — Died in May 1985 in Indiana.

HELSINKI MONITORS FORCED TO EMIGRATE

These former members of Helsinki groups were forced to emigrate and now live in the West. The dates of their departure are noted. The list does not include those who joined the Ukrainian Helsinki Group in Exile. Not all of those listed are still active in the human rights movement.

Moscow Helsinki Group

Ludmilla Alexeyeva — Western representative of the Moscow Helsinki Group. February 1977. Tarrytown, New York.

Mikhail Bernshtam — September 1976. Stanford, CA.

Aleksandr Ginzburg — April 1979. Washington, DC.

Petro Grigorenko — November 1977. New York.

Yury Mnyukh — June 1977. New York.

Sergei Polikanov — October 1978. Bern, Switzerland.

Yury Yarym-Agayev — July 1980. California.

Ukrainian Helsinki Group

Petro Grigorenko — Western representative of the Ukrainian Helsinki Group. November 1977. New York.

Svyatoslav Karavansky — November 1979. Royal Oaks, MI.

Vladimir Malokhovych — December 1979. Munich.

Nina Strokata — November 1979. New Jersey.

Petro Vins — June 1979. Indiana.

Lithuanian Helsinki Group

Ezias Finkelshtein — December 1983. Israel.

Tomas Venclova — Western representative of the Lithuanian Helsinki Group. January 1977. New Haven, Connecticut.

Armenian Helsinki Group

Antarshan Khigalyan — 1979. New York.

Christian Committee

Vadim Shelkov — Western representative of the Christian Committee. Boston.

Invalids' Group

Valery Ledvkh — Western Representative of the Invalids' Group. 1983. Munich.

Olga Zaitseva (Fedotova) — 1983. Munich.

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APPENDIX 2

In Defense of Helsinki

By Leonard R. Sussman

Ten years ago today, President Gerald Ford signed the Helsinki Accords in Europe. That "Final Act," a non-binding series of commitments to civilized conduct, is increasingly misunderstood in this country. Yet the accords provide a regular, public dock for East Bloc violators of human rights.

The Conference on Security and Cooperation in Europe, as it is formally known, did not guarantee the existing borders of Europe—as the Soviet Union had demanded since World War II ended. The agreement did call for continuous monitoring of human rights inside each country—which the Soviets resisted, and still resist.

Soviet Diatribe

Yet because the U.S.S.R. since 1975 has invaded Afghanistan, further restricted most Soviet citizens, and particularly oppressed human-rights activists, there is growing clamor for the U.S. to nullify the Helsinki Accords.

Nullification might be appropriate if the Soviets were gaining at the expense of democratic countries by some exploitation of the accords. But the opposite has happened, and the latest Soviet diatribe underscores this. On July 19, the press chief of Moscow's Foreign Ministry accused Western human-rights advocates of being slave traders who run houses of prostitution where they debauch young girls. Even East Bloc satellites must recognize that this outburst takes the place of a relevant reply to diverse charges of human-rights violations by the Soviet Union that were aired again just this May at a conference to formally review the accords.

The Soviets did not get the territorial assurances they sought from the Helsinki pact, and instead have had to endure relentless, detailed and highly public attacks on them—and their satellites—violations of human rights. Why relieve the Soviets of difficulties generated by this process?

Helsinki's unique contribution to both traditional and public diplomacy should not be discarded because it failed to convert Marxist-Leninist centralism into democratic individualism. Indeed, it left the territorial question open. "Frontiers can be changed," states the Final Act, "in accordance with international law, by peaceful means and by agreement," and without "assaulting" one another's frontiers. President Ford stated explicitly as he signed that the pact would not "put a seal of approval on the political division of Europe."

Harold S. Russell, the principal U.S. negotiator at Helsinki from 1973-75, later wrote that the document "does not depart materially from previous international agreements on frontiers, and does nothing to recognize existing frontiers in Europe." West German Foreign Minister Hans-Dietrich Genscher put it properly in the Bundestag: "The Conference has not finalized the status quo in Europe," he said. "And what the Conference did not do by text we should not do by words."

Critics suggest that the Helsinki process is an elaborate pretense, implying that the Soviets, as we are formally committed to, free expression, free trade unions, freedom of all three Helsinki "baskets"—security, economics, human rights—at the 35-nation conference in Belgrade in 1977. The second such review opened in Madrid in 1980 and lasted three years. This May, Helsinki pact human-rights experts met for six weeks in Ottawa. Year-round, in the U.S. and several Western countries, voluntary and governmental Helsinki monitors watch both compliance with, and violations of, the Helsinki Accords.

The unique contribution to both traditional and public diplomacy should not be discarded because it failed to convert Marxist-Leninist centralism into democratic individualism. Indeed, it left the territorial question open. "Frontiers can be changed," states the Final Act, "in accordance with international law, by peaceful means and by agreement," and without "assaulting" one another's frontiers. President Ford stated explicitly as he signed that the pact would not "put a seal of approval on the political division of Europe."

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Giving public attention to rights violations provides some brake on tyranny—as the same dissidents who now attack the process were quick to tell us as each was freed.

cynically accepted these civilized codes, and continued to flout them. Having committed itself to high universal standards, however, the Soviet Bloc should be held to humane interpretations of those standards. The most effective mechanism is bringing bloc spokesmen to the dock, and charging them—citing names, cases and institutional procedures—with violations of the Helsinki code of humane practice.

Of course, the Soviets charge interference in their internal affairs. But that counterattack is simply damage control. The Helsinki process is aired regularly worldwide, over Radio Free Europe and Radio Liberty. Bloc bureaucrats, moreover, hear the detailed charges at meetings such as the one in Ottawa and devise transparently specious answers. This must strain Soviet-satellite relations.

Not unexpectedly, then, the U.S.S.R. insisted that the Ottawa conference be closed to the press, but the watching world saw that it is the Soviets who have something to hide. Each day a U.S. spokesman reported to the press.

U.S. Ambassador Richard Schifter answered the Soviet charge at Ottawa that communist countries care for their citizens' social welfare, while the democratic nations focus on political rights. Mr. Schifter patiently described the role of law in free societies, and related that to progress in social welfare. He noted, "The average Soviet citizen lives less well than someone living at the official U.S. poverty level." He mentioned the privileges of the upper 5% of the Soviet population known as the Nomenklatura, and added that Soviet unemployment figures are kept low by military and police forces, in prison or in forced labor when termed "parasites."

Yet a group of prominent Soviet dissidents has appealed to Western governments "to make the Helsinki agreement null and void." I have profound respect for these men and women, and fully understand their frustration. We shared platforms in Madrid in 1980 to plead for the humanizing of Eastern Europe. They work incessantly to help equally courageous activists still inside the gulags. They mourn the deaths of Helsinki monitors and Afghan resistance fighters.

But some fundamental questions must be asked: Would the evils the dissidents cite have occurred in the absence of the Helsinki Accords? Undoubtedly. Did any realist believe that in 10 years the accords would significantly reverse 66 years of Marxist Leninism? Hardly. Would the world be better without judgments repeatedly publicized by the Helsinki process? Obviously not, nor is there an effective alternative system for exposing dehumanization in the Soviet Bloc.

'It Helps'

The Ottawa meeting failed to produce final recommendations, though human-rights violators of the U.S.S.R. and its satellites were repeatedly enumerated and given some public attention. That provides some brake on tyranny—as the same dissidents who now attack the Helsinki process were quick to tell us as each was freed. And to this day they cite the Helsinki Accords as "law" when charging the Soviet Union with a new violation.

"Keep up the public pressure," each dissident would say as he emerged to freedom, "it helps. It still does. The Helsinki process is institutionalized publicity on behalf of human freedom.

Mr. Sussman is executive director of Freedom House, a private group in New York. He edited Ambassador Max M. Kampelman's book of speeches at the 1980-83 Helsinki review conference.

APPENDIX 3

In Support of the Helsinki Process

Leonard R. Sussman

The Helsinki Accords were signed August 1, 1975. Several weeks later, Freedom House in an editorial urged the creation of a "Helsinki Watch"—the regular monitoring of compliance with the far-reaching commitments made at Helsinki. Now, ten years later, there is some disillusionment with that Helsinki Process. A reassessment is, therefore, in order. Let me state at the outset my position on the Helsinki Process (the continuing review of compliance with the 1975 Final Act of the Conference on Security and Cooperation in Europe, the CSCE):

In the entire East bloc—with only variations in degree—human rights are observed mainly in the breach. Opportunities for normal contact between East and West are strictly limited. Cross-border communications are severely restricted, as are opportunities for dissent and diversity within each East-bloc country. Yet the instinctive universal yearning for human rights—especially when they are institutionally violated—affects even the most pervasive violators of human rights. They must find some rationale for their anti-humane activities. That places some limit even on *their* tyrannies.

By violating the human rights of their own citizens, some consequences follow that would not occur if the Helsinki Accords did not exist. I shall return to that crucial factor after discussing the conditions which inspired initiation of the Helsinki Process.

Leonard R. Sussman is executive director of Freedom House. This article is substantially based on an address that he delivered to the National Leadership Forum sponsored by Georgetown University—Center for Strategic and International Studies.

The process as communication

In all East-bloc countries, ideological commitment to Marxism-Leninism results in authoritarian or totalitarian

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controls. This statism is diametrically opposed to individualism, which promises each person the right to exert a meaningful choice of governmental leaders and policies, and without penalty for making or publicly discussing such choices. For such freedoms pledge the right to public assembly and free association whether for religious, social, trade union, economic, or political purposes.

Intimately associated with each of these freedoms is the independence of the media of mass communication. Throughout the East bloc, governmental ownership of the means of communication—even the licensing of typewriters in some places—is the absolute law. The regime dominates the content of the print and broadcast media. Journalists, so-called, are really government spokesmen. They know they will be banished, at the least, if they express personal views of dissent. The Soviet broadcaster who diverged from the official line about the Afghanistan invasion was sent to a psychiatric institution.

Proof of the ironclad control over communication are the courageous dissenters who write and circulate *samizdat* in the Soviet Union, the Charter 77 people in Czechoslovakia, the prolific Solidarity movement in Poland, and others. These inspired exceptions prove the rule.

How, then, can free men and women outside the Great Gulag that is the East bloc make contact people-to-people? Authorized contacts—cultural, scientific, and journalist exchanges—are carefully controlled. East-bloc travelers are highly indoctrinated, mainly trustworthy carriers of governmental ideology. Occasionally a defector appears, but the rarity underscores the effectiveness of the authoritarian and totalitarian indoctrination in the homelands.

That is not said to denigrate cultural and other exchanges. They should continue, and be expanded. One may assume that Westerners, for their part, can make a certain positive impact on the East-bloc citizens they meet inside Soviet-dominated countries. The fact that cultural and other exchanges have limited effect suggests, however, that additional channels such as the Helsinki Process are necessary. That process must not be examined in isolation as simply a discussion of thirty-five delegates behind closed doors, or even as a conference producing a single concluding statement that is bound to be consensual and mainly innocuous. The Helsinki Process should be seen as ideological ammunition to be fed continuously into established Western communication channels that reach regularly into East-bloc homelands. We do ourselves a disservice if we regard the Helsinki Process from our viewpoint rather than from the Soviets' perspective. There must be some reason why they dread facing us public, human-rights reviews in the Helsinki Process. They fought long and hard before the Belgrade, Madrid, and Ottawa conferences to restrict press and NGO observation of the compliance discussions.

The reason is obvious: the Soviets don't want the world outside, particularly the 120 developing countries, to see the USSR repeatedly stigmatized as a violator of treaties and not the Marxist utopia that was promised. Beyond the observation of other countries, however, the Soviets mainly dread the magnification of the Helsinki Process through the Freedom Radios. They broadcast the facts of human-rights violations directly to the citizens of the Soviet bloc. One cannot fully estimate the impact of the Helsinki Process without factoring in the continuous use of the discussions by Radio Free Europe/Radio Liberty, the Voice of America, the BBC, Deutsche Welle, and other Western radios. The stepped-up jamming of American broadcasts by the Soviet Union is further proof that our radios are effective. How else can free people speak over the heads of totalitarians—as speak they must—to reach the peoples of the Soviet bloc?

The territorial border question

For more than six decades, Western efforts to help liberalize the Soviet Union from the outside have largely failed. We have tried approaches called Cold War, détente, or a blend of the two—with little short-term success. These were largely approaches devised by, or in response to, the Marxist-Leninist system itself. The Helsinki Process is different. It is a Western concept. It was, to be sure, almost an afterthought when Western Europeans finally agreed to hold a postwar conference which the Soviet Union had long demanded. The West Europeans and reluctantly the United States, agreed, provided human rights were as thoroughly examined as security and economic matters. It was to be understood that every word in the entire Final Act would be approved by all thirty-five signatories, and every word—human rights included—would carry equal weight. The Soviets thus committed themselves to standards of human rights which were not theirs in practice or in promise, standards that would, if complied with, transform their country and all East-bloc countries into far freer societies.

The Soviets were apparently willing to take that risk in order to achieve Europe-wide approval of existing borders. Did they achieve their primary objective? The answer is no, unless the West acted in a perverse sense of solemnity assumes the Soviets must have won what they sought. For, after all, the Soviets tricked a good deal by agreeing to Basket Three, the human-rights standards. And those issues dominate the Helsinki Process.

Examine the borders question. Critics of the Helsinki Accords, particularly Americans, do the free world a great disservice. They repeat the Soviet interpretation that at Helsinki the World War II borders of Europe were formally accepted for the first time. Helsinki, it is said, was the peace treaty the communists long sought in order to secure universal approval for their wartime and postwar aggressions in Europe. That is not what happened at Helsinki in 1975. The accords did not affirm as inviolable the existing territorial boundaries. On the contrary, the declaration speaks clearly on this point. "Frontiers can be changed," it states, "in accordance with international law, by peaceful means and by agreement." That is given in the

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first principle. The third principle governing the document says that states "will refrain now and in the future from assaulting" one another's frontiers. When read with the first principle, the document opposes changes in borders by force but upholds changes resulting from peaceful agreement. Moreover, President Ford stipulated clearly as he signed the accords: "The United States has never recognized the Soviet incorporation of Lithuania, Latvia and Estonia and is not doing so now." Indeed, a crucial territorial division, the Oder-Neisse line between the GDR and Poland, was settled in 1970, five years before the Helsinki Final Act.

The principal American negotiator (Harold S. Russell) writes that he and "all the Western negotiators" believe the "USSR failed in large part to achieve the kind of language it originally sought." The document, he says, "does not depart materially from previous international agreements on frontiers and does nothing to recognize existing frontiers in Europe." The two sentences in the accords "comprising the inviolability principle occupied four months" of negotiation, and eliminated "virtually all" of the essential elements of the Soviets' initial draft.

Helsinki, far from providing territorial commitments, created a vast set of human-rights standards and commitments. These should be hailed, not rued.

However, what the Soviets failed to achieve in the CSCE negotiations they "almost totally recouped at Helsinki through the American press"—that, too, from the American negotiator. And, I will add, our press continues to serve up the Soviet line that Helsinki gave the East bloc its present borders. It did not.

West German Foreign Minister Hans-Dietrich Genscher put it properly in the Bundestag: "The Conference has not finalized the *status quo* in Europe," he said. "And what the Conference did not do by text we should not do by words." President Ford stated explicitly as he signed the Helsinki Accords that he did not accept the interpretation that the CSCE "will put a seal of approval on the political division of Europe." If he believed that it would, he said, he would not go to Helsinki.

Americans can be too prone to cast a skeptical eye on international negotiations. We are also quick to assume guilt for *our* policies, and believe the Soviets are ten feet tall. Helsinki was a different case. The Soviets did not get the territorial approval they sought. Instead, they got Basket Three—the human-rights commitments. By the time it was clear they could not get the territorial commitment, they were too deeply enmeshed in the three-sided process to pull out of one, and thus kill any territorial reference. Had they done so, it would have been impossible even to convert a bland territorial statement into a propagandized commitment they wanted but didn't get. Sadly, Americans are helping make that conversion after the fact. Instead of wringing our hands over a bad bargain, we should repeatedly proclaim the truth: Helsinki, far from providing territorial commitments, created a vast set of human-rights standards and commitments. These should be hailed, not rued.

Helsinki's public nature

I turn next to what the Helsinki Process is, and is not. The latter first: it is not a legally binding commitment, as today's critics point out. Why so? Because for two years of negotiations before 1975, the *Americans* insisted that the Final Act would not be legally binding. And probably for good reason. Without resort to the military, it would be difficult to enforce commitments to internal relations. Realities would probably be no different in the Gulags today if the act had been legally binding, but the fragile rule of law would have been further weakened.

Critics also suggest that the Helsinki Process is an elaborate pretense, that we and the Soviets are seemingly in accord about the values and the violations of free expression, free trade unions, freedom to travel, and other matters. That criticism entirely misses the value of the process. The framing of the standards, important though they are, is only the beginning of the process. The key is holding the Soviet bloc to *our* interpretations of those standards. We have devised the most effective mechanism so far to bring Soviet spokesmen to the dock at Helsinki and charge them—citing names, cases, and institutional procedures—with violations of the approved code of human practice. Of course the Soviets counterattack, and of course they charge interference in their internal affairs. But that, on their part, is purely damage control.

The Helsinki Process is aired regularly, world-wide, over the Freedom Radios. These are heard, even through jamming, inside the Soviet bloc. The bloc bureaucrats, and probably their families, friends, and associates, must hear in detail of the charges made against them in the Helsinki Process. They must devise answers often of a relatively specific nature—answers which are transparently specious even to them. Such charges must seep through the internal communications channels. Certainly such attacks make many Soviet satellite bureaucrats uneasy, and perhaps eventually help to Polandize their countries. At the very least, such attacks place a strain on Soviet relations with their satellites.

The most important aspect of the Helsinki Process is its public nature. If the review conferences at Belgrade and Madrid, and the human-rights experts' meeting at Ottawa, were held in the absence of publicity, I would agree the main value would be eliminated. That is why the Soviets insisted before the Ottawa conference that it be closed to the press and the NGOs. The U.S. delegation fought to keep it as open as possible. Clearly, the watching world sees that it is the Soviets who have something to hide. Each day, then, an American spokesman emerged from the session to report to the press what had transpired that

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day. And press materials spell out in detail the names, events, and institutional procedures that have resulted in serious Soviet violations of human rights. It is then the business of the free press to carry these charges around the world. To the extent that the press does not convey this information, people everywhere—including the mass media themselves—suffer. For violators of humane standards are let off too easily. But that is not the fault of the Helsinki Process, rather it is a sign of misunderstanding or indifference.

The press, which largely misinterpreted the territorial intent of the CSCE, may further advance Soviet objectives by playing down the stringent naming of names, and other issues set forth at Ottawa mainly by the American and British delegations. Ambassador Max M. Kampelman, board-chairman-on-leave of Freedom House, pursued that policy at Madrid from 1980 to 1983. Ambassador Richard Schifter did the same at Ottawa.

We should also credit the Helsinki Process with the diverse activities of the American CSCE—the joint Executive-Legislative Commission. The commission carefully monitors lists of human-rights violations. A substantial number of the 1,800 family-reunion cases submitted to the Romanian government, for example, have been successfully resolved, and the last outstanding Hungarian-U.S. family reunification case was concluded. The commission has held hearings, widely reported in the press, on the plight of Jews in the Soviet Union, psychiatric abuse in the Soviet Union, forced labor in the USSR, and the status of Andrei Sakharov and the unofficial peace groups in Eastern Europe. All of these public manifestations were possible because the Helsinki Process created both framework and newsworthiness. Given the nature of Western journalism, in the absence of such organized activities in defense of human rights, it is highly unlikely the press would cover individual appeals. Isolated, *ad hoc* complaints generally go unreported.

Human rights is one of three general concerns of the CSCE. The Madrid review conference, for example, helped spotlight the Soviet invasion of Afghanistan, the repression of Poland, and the shooting down of the Korean airliner. The meeting had the unusual effect of unifying the Western nations, including the neutrals and nonaligned, in the face of East-bloc opposition. And a fact not often publicized is that the Madrid review also served as an open channel for East-West communication during the time when other contacts were shut down. The Madrid conference also mandated the Stockholm meeting on confidence-building measures in the security field. While no rapid results may be anticipated there, the effort to avoid destabilizing military surprises can be useful.

"The Madrid meeting," in the words of Ambassador Kampelman, was "the appropriate forum at which to insert political and moral pressure into the process." The message to the Soviet Union was clear. "Conform to the promises made in 1975 if you wish to be recognized as a responsible member of the international community."

The essential alternative

In a militarized, adversarial world the application of moral and political pressure is the essential alternative, and free men and women should support it to the fullest. Yet some Soviet dissidents now call for the abrogation of the Helsinki Accords. They say that in the ten years since the Final Act was approved the human condition has worsened in the East bloc. Afghanistan has been invaded. And the very dissidents who supported the Helsinki Process—the monitors inside the East bloc—have been imprisoned, and some died. All of this is true.

But would these evils have happened in the absence of the Helsinki Accords? Undoubtedly. Did any realist believe the accords would significantly reverse the sixty-eight years of Marxism-Leninism, even in ten years? Hardly. What, then, is the value of the Helsinki Process? Simply this: it is the only means the Western nations of Europe, and the neutrals, and Canada and the United States have devised to provide a public judgment seat for violations by the Soviet bloc.

Would the world be better without such judgments? I think not. Is there an effective alternative public system for exposing the Soviet bloc? I know of no other regularized way. Is there another method of changing the internal Soviet system? Isolation? Surely that would only increase the internal suffering, to the delight of the Soviet masters. Now, public attention provides some brake—as the very dissidents who now attack the Helsinki Process were quick to tell us personally as each of them was freed. "Keep up the publicity," they would tell us—each of them—"it helps." It still does. Helsinki is institutionalized publicity on behalf of human freedom.

I know that after ten years there are frustrations among the emigres. Properly so. Worse still must be the cruel disappointment and suffering of the supporters of the Helsinki Process now in Soviet prisons and labor camps. We must understand and honor their anguish. Yet to this day, when these dissidents or other human-rights activists appeal for assistance, they invariably seek to hold the guilty state to its commitment to the same Helsinki Accords, as well as to the Universal Declaration of Human Rights. Yet we never hear cries to abrogate the Universal Declaration of Human Rights. On the contrary, the appeal is always to comply with the declaration. Ironically, the Universal Declaration has no mechanism such as the Helsinki Process for monitoring compliance and bringing the guilty to the dock of world opinion.

We should not be complacent about the Helsinki or any other approach, as long as the world is divided between free and not free. Yet we should use the Helsinki Process ceaselessly to call on the Soviet bloc to comply. We should exploit to the fullest the so-far-unequaled opportunity to attack the violators in the only way open short of military force—the use of the word addressed to the mind and the heart of the free and, yes, the not-yet-free of this world."

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APPENDIX 4

WALL STREET JOURNAL, MAY 8, 1985

Exiles: Nullify Helsinki Pact

WALL STREET JOURNAL, MAY 8, 1985

Prior to the convening this week of an official session in Ottawa to review the so-called Helsinki Accord on human rights, this statement was released by the undersigned exiled dissidents:

The Helsinki Agreement on Cooperation and Security in Europe signed in 1975 by 35 states has been from the very beginning a new concession by the western democracies to the Soviet Union and its satellites. However, the linkage between European security and human rights and regular review meetings to control compliance with these basic rights by each country, established by the Helsinki Accord, were viewed by its western promoters as a sufficient condition for peaceful coexistence of two political systems. Human rights activists in the communist countries, while more doubtful about the real intentions of their governments, still considered that these international obligations can lessen repression and founded Public Groups to Promote Implementation of the Helsinki Agreement in Moscow, the Ukraine, Lithuania, Georgia, Armenia, Czechoslovakia, and Poland.

Ten years after Helsinki no one can assume that this agreement can to any extent restrict arbitrariness of the communist authorities. They marked this decade by increasing expansion throughout the world, including direct invasion in Afghanistan, by an unprecedented military buildup, by support of international terrorism, by escalating repression against their people including arrests of almost all members of the Helsinki Groups, by the exile of the Sakharovs, by martial law in Poland, by introducing new legislation virtually banning communications between people of the communist countries and the free world, and by closing emigration. The Helsinki Accord was perceived by Soviets as a good cover for this policy and was interpreted by them accordingly.

Western governments gradually accepted this interpretation. The linkage between human rights and security was first abandoned by continuing cooperation with Soviet authorities while they flagrantly suppressed those rights, then by signing one after another the final documents of the Belgrade and Madrid review conferences without even mentioning the ongoing repression, and finally by separating human rights and security in further review conferences.

Unable to serve its initial goal the Helsinki Agreement failed even to protect the Helsinki monitors, people who sacrificed their freedom to make it serve peace and democracy. We tried to persuade western governments to make release of these people a necessary condition to continue Helsinki process. It was not done in time and the situation is irreversible now.

Irreversible are the deaths of imprisoned Helsinki Monitors Oleksa Tikhy, Valery Marchenko and Yuri Litvin from the Ukraine and Eduard Arutyunyan from Armenia. Irreversible are the many years spent in prisons and labor camps by the founders of the Helsinki Movement Yuri Orlov, Anatoly Shcharansky and other prisoners of conscience. Irreversible are the deaths in Poland and Afghanistan.

We have done our best to make Helsinki Agreement serve peace and democracy. However, we can no longer associate ourselves with the agreement which not only failed to serve its humanitarian purposes, but even to protect its most sincere supporters, agreement which has turned into a repressive tool in the hands of Soviet authorities. We appeal to the western governments to make the Helsinki Agreement null and void.

We still believe that peace can be and must be based on human rights. Therefore, until the Soviets prove by concrete actions their readiness to observe these basic rights, any peace or arms control agreement with them would be self deception. It cannot be proved by them unless Helsinki monitors and other prisoners of conscience in communist countries are released.

Vladimir Bukovsky, Petr Egides, Alexander Ginzburg, Arina Ginzburg, Alexander Glezer, Natalya Gorbanevskaya, Petro Grigorenko, Zinaida Grigorenko, Emma Kessler, Irina Korsunskaya, Eduard Kuznetzov, Yuri Kublanovsky, Edward Lozansky, Mikhail Masterkov, Vladimir Maximov, Yuri Mnyukh, Viktor Nekrasov, Leonid Plyushch, Vladimir Poltz, Yuri Tuvim, Georgy Vladimov, Yuri Yarim-Agaev and, on behalf of the International Society for Human Rights, Ivan Agrazov.

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APPENDIX 5

Current
Policy
No. 728

Secretary Shultz

Ten Years After the Helsinki Final Act

United States Department of State
Bureau of Public Affairs
Washington, D.C.

Following is an address by Secretary Shultz at the commemoration of the 10th anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe (CSCE), Helsinki, Finland, July 30, 1985.

Let me first join my colleague from the Soviet Union and the others who have spoken here this afternoon in thanking the Government and people of Finland for their fine hospitality and good preparations for this meeting. We all enjoy breathing the friendly air of Helsinki.

The modern political values that underlie our civilization were born in Europe. The belief in human progress, in intellectual freedom, in religious tolerance, in the rights of the individual against the state, and in a peaceful international order—these are the legacies that have been passed on to us by European thought and culture since the Enlightenment. At times, oppression, intolerance, and war have banked the flames of this humane spirit. But always these values have stayed alive, offering hope and inspiration to mankind—that we might explore the outer reaches of knowledge, that we might ascend to a higher plane of human existence, that we might live in peace with our neighbors, that we might have faith in progress and in freedom for ourselves and our world.

Today, tragically, Europe is a divided continent. Yet the ideals of European civilization have not been extinguished. They live still in every nation, in every city and village, on every street, in every home, West *and* East. They bind Europe together. The barriers, the walls, the barbed wire, and the weapons cannot truly divide Europeans from each other or from their heritage. The spiritual strength of European civilization cannot be broken by government-made artifice.

Europe, let us not forget, has been divided before, though never so starkly. Vastly different political systems have lived side-by-side on this continent for hundreds of years. Empires, constitutional monarchies, and dictatorships have stood beside republics and democracies. Religious wars, over the centuries, have caused the deaths of countless innocents. And in this century alone, the people of Europe have endured two world wars that ravaged their continent. Only the heroic efforts of the Western democracies and the Soviet Union saved Europe from Hitler's tyranny. Yet Europe has outlived even these times of trouble.

And the modern idea of liberty, since the 18th century, has continued to grow and flourish. It has survived all the historic conflicts and divisions of Europe because, even in the dark moments, the aspiration of individuals to speak, think, and travel freely—throughout the continent—was never extinguished. Belief in the rights of man has deep roots in European philosophy and history.

For now, we all live uneasily with the brutal and artificial division of this continent, even as we search for ways to end it. But nothing in human history has proven irreversible. Perhaps no one

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here of my generation can confidently expect that the walls and the barbed wire will magically disappear in our lifetime, but surely the division must be altered within the lifetimes of many who are alive today.

And yet, there are some things for which we can hope now: that the idea of liberty in Europe may continue to grow, even in those areas of darkness behind the walls, and that peace may reign over this continent, despite persistent confrontation between East and West. Today, competing powers and political values are arrayed against each other in Europe. Their differences may be ultimately irreconcilable. We hope not. But tensions will exist so long as some persist in violating the most fundamental human rights. Yet, can we not reduce the threat of armed conflict? Can we not achieve some greater measure of freedom for all Europeans, for all individuals? We, the inheritors of the European spirit, must keep it alive for future generations all across the continent.

Goals of the Helsinki Final Act

These are the hopes that inspired the Helsinki conference a decade ago. The statesmen at Helsinki understood that the twin goals of peace and greater freedom are intimately connected in Europe. They understood that we owed it to ourselves and to our children to keep the great European tradition alive, even in these difficult times.

Today, we mark the 10th anniversary of the Helsinki Final Act. If any single lesson emerges from the history of the Final Act's first 10 years, it is precisely that the interests of individual human beings are a fundamental part of security and stability in Europe. Greater security and a more stable peace among our nations depend on greater freedom for the people of Europe.

The Final Act was an expression of the humane European tradition. It affirmed the most basic human rights and fundamental freedoms. It called for a freer flow of information, ideas, and people. It offered the possibility for greater cooperation among states and peoples. It reaffirmed the basic principles of relations among states. And it recognized, in its structure and in its purpose, that security, economic ties, human rights, and contacts among people are all equally important—and related to each other. Peace encompasses the totality of our relations.

In signing the Final Act 10 years ago, we recognized as governments that if we were to make progress toward greater security and more stable peace, we would have to go beyond the traditional agenda of governments. We recognized that our security requirements must extend beyond walls and weapons; that they had to include finding ways to lessen suspicion, reduce obstacles, instill greater confidence, and increase contacts among the peoples of Europe. And we recognized that these could only be achieved if commitments extended beyond our governments to engage the hopes, good will, and efforts of our peoples, too.

And, in fact, the Helsinki Final Act did engage the attention and enthusiasm of our peoples because it appealed to all that has bound European civilization together over the centuries and because it opened the door to a better future. The Final Act described ways to span the gulfs, to break down at least some of the walls that had been put in place since 1945. It offered a definition of our common security that was both comprehensive and precise. It gave the citizens of all participating states the hope that they could develop their full potential and contribute to a better, safer world. But, above all, it sought to preserve the rights of individuals.

The message of the Final Act was that we can reduce the divisions in Europe, that we can ease the sufferings they have caused, and that we can someday hope to see an undivided peaceful continent if we are wise enough, practical enough, dedicated enough.

We all knew that it would not be easy to turn our hopes into reality. We knew that our expectations about what could be would have to be tempered by realism, that progress might come slowly. And we knew that, as President Ford said:

> History will judge this conference not by what we say here today, but by what we do tomorrow—not by the promises we make, but by the promises we keep.

But we also knew that the goals and principles we set down here were worth striving for.

The genius of the Final Act was that it was not merely an expression of goals and principles; it was also a program of practical steps for turning our hopes into reality. It provided a standard toward which to strive and against which to measure our behavior. Perhaps we shall not soon see the day when all nations meet that standard, but the effort, in and of itself, could lead to a more secure peace, greater individual freedom, and, thus, a greater fulfillment of Europe's vast potential.

Progress During the Past 10 Years

Can we look back over the past 10 years and see some limited progress? I believe the answer is yes, though the reality of Europe's division remains. Let us review these past 10 years, and, in keeping with the wisdom of the Final Act, let us judge the progress in the most practical, concrete terms. Pious declarations are cheap. Real progress can only be seen in its effect on human beings.

The Final Act has had some practical effect. Today, journalists travel more easily between our countries. Large numbers of citizens in some East European countries have been reunited with their families in the West. By recalling what had been hoped for and what had seemed possible when the Final Act was signed, our review conferences at Belgrade and Madrid helped keep those hopes and possibilities alive. So, too, our recent meetings in Ottawa and our current negotiations in Stockholm keep our aspirations alive.

These achievements are not negligible. They have pointed the way we must take if we are to put our relations on a better and more stable basis in the future and if we are to open up the possibility of freedom for all Europeans.

And yet, 10 years after the signing of the Final Act, no one can deny the gap between hope and performance. Despite the real value of the Final Act as a standard of conduct, the most important promises of a decade ago have not been kept.

Let's look at the specifics.

Soviet-Bloc Performance on Helsinki Principles

In the Final Act, we all committed ourselves to treat, in a positive and humanitarian way, the applications of persons who wish to be reunited with members of their family. Yet, over the past 5 years, the number of Soviet citizens of Jewish nationality permitted to emigrate, mainly for family reunification, fell from more than 51,000 to 896. The regrettable trend is the same for Soviet citizens of German and Armenian nationality.

There are over 20 cases of American-Soviet marriages in which the Soviet spouse has been denied exit permission two or more times, in spite of specific provisions of the Helsinki Final Act. Yuriy Balovlenkov, who married an American citizen in 1978, was on a hunger strike from March 25 to July 4 protesting 6 years of continued denial. He has seen only one of his two daughters and is in terribly weakened health.

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The Final Act confirms the right of the individual to know and act upon the provisions of the agreement. Yet the citizens' group set up in Moscow to moniter implementation of the Final Act in the Soviet Union disbanded in September 1982 for fear of further persecution. Here is a group of enthusiastic Soviet citizens who were pleased and proud of the decision of their government to sign the Helsinki Final Act. Yet today, Yuriy Orlov, the group's founder, languishes in remote Siberian exile after 7 years in a labor camp. Founding member Anatoliy Shcharanskiy, imprisoned on a false charge in 1977, has completed his term in the notorious Chistopol prison and is now serving out the rest of his 13-year sentence in one of the most brutal of Soviet labor camps. Imprisoned group member Anatoliy Marchenko, currently serving a 12-year sentence, has been permitted no correspondence with his family for more than a year. Group member Ivan Kovalyov's health has reportedly deteriorated badly since his transfer to labor camp. His wife and fellow group member, Tatyana Osipova, recently had her own 5-year labor camp sentence extended by 2 years.

The founder of a peace group in Moscow, Sergei Batovrin, was first harassed, then put in a psychiatric ward, and then, when he persisted in advocating peace the way so many thousands of young people do in other countries, he was thrown out of his native land altogether. Other peace activists have met similar fates, as have those struggling for womens' rights and free trade unions. The founders of a Social Democratic Party in Moscow were jailed in January of this year.

On June 14, Bogdan Lis, Adam Michnik, and Wladyslaw Frasyniuk were sentenced in Gdansk to terms ranging from 2½ to 3½ years on charges of having nothing ostensibly to do with their real "crime" of leading the fight for free trade unionism—a right recognized in the concluding document of the Madrid review meeting. In the Soviet Union, Vladimir Klebanov's efforts to found a free trade union put him in a psychiatric hospital for 4 years.

Nor has abuse of psychiatric treatment been limited to trade unionists and peace activists. In the Ukraine, Vladimir Khailo, an Evangelical Baptist, has been interned in psychiatric hospitals since 1980 for his faith and his efforts to emigrate with his wife and 15 children. He has refused an offer of freedom in exchange for renunciation of his faith.

All who would live an active religious life according to their faith—whether Christian, Jewish, or Muslim—risk harassment, imprisonment, or confinement in psychiatric institutions. Baptists, Ukrainian and Lithuanian Catholics, Russian Orthodox, Seventh-day Adventists, and Pentecostals have all been increasingly subject to repression. Dina Shvedsova, Vasyl Kobrin, Father Alfonsas Svarinskas, Father Gleb Yakunin, Pastor Nikolai Goretoi, and Pastor Viktor Valter are only a few of the Christians currently serving sentences of up to 12 years in prison or exile in the Soviet Union because of their faith. A small community of Pentecostals from the village of Chuguevka in the Soviet Far East has suffered grievously in the past several months. Ten community elders have been sentenced to up to 5 years in labor camp and the rest fired from their jobs. Six families have been threatened with losing custody of their children.

At least 16 Jewish cultural activists, including 9 teachers of the Hebrew language, have been arrested in the Soviet Union since last July, and many have been convicted on obviously trumped-up criminal charges to 3-4 years of imprisonment and labor camp. Iosif Berenshtein, currently serving a 4-year term, was savagely beaten and stabbed while in prison and lost most of his vision. Yuliy Edelshtein, who is serving a 3-year term, is reportedly undergoing repeated beatings in his labor camp in Siberia as part of an effort "to exorcise his religious fanaticism," according to camp authorities.

Abuzakar Rahimov, a Muslim from Tashkent in Soviet Central Asia, was sentenced to 7 years in a strict-regime labor camp in 1982 for distributing material about the Islamic faith, including translations from the Koran.

Last year in Czechoslovakia, seven priests and nuns were arrested for "obstructing state supervision over churches and religious orders."

Finally, the man who more than any other represents the ideals enshrined in the Final Act—Andrei Sakharov—remains totally isolated from the outside world—in exile, probably still in Gorkiy. Even as I speak, he may be in a hospital following his most recent hunger strike on behalf of forced medical treatment for his beloved wife. We have reason to believe he was forcefed to break his hunger strike.

We cannot talk about the Helsinki process without talking about human beings, for they are supposed to be the true beneficiaries of the Helsinki Final Act. The fate of these individuals, moreover, affects the actions of thousands, maybe millions, by showing what happens to those who dare exercise their rights and freedoms.

Commitment for the Future

My country and most other countries represented here remain committed to the goal of putting the program of the Final Act into practice in all of its provisions. We know that hard work and patience are needed. We believe that the truest tests of political intentions are actual steps to improve cooperation among states, to enhance contacts among people, and to strengthen respect for individual rights. The provisions of the Final Act are indivisible. We must see progress in all areas. At next year's Vienna review conference, we will have a chance to measure that progress again.

We are convinced that the future need not be as bleak as the recent past. As we look ahead toward the next decade of the CSCE process, we should also look back to the kinds of beneficial practical actions we enlisted then and measure ourselves against the standards we set.

We have an opportunity at the Stockholm conference to find concrete ways to increase confidence and security in the military field. The package of specific measures proposed by the Western participants in Stockholm addresses some of the causes of war—miscalculation and misinterpretation. These measures can help ensure that existing forces are never used. They encourage greater openness about military forces and exchanges of information that would increase mutual understanding and reduce the risk of surprise attack.

As President Reagan stated in Dublin over a year ago and more recently in Strasbourg, we are prepared to discuss the principle of non-use of force—a principle to which the United States is committed—if this will bring the Soviet Union to negotiate agreements that give concrete meaning to that principle. A solution should be possible that adds to our security and contributes to peace in Europe, and thereby, ultimately, to a better life for our peoples. We are prepared to move ahead in all areas in Stockholm. And I was pleased to note in Foreign Minister Mr. Shevardnadze's address that he expressed a positive attitude toward these negotiations.

We can contribute to our common security, to a more stable peace, and to the future vitality of European civilization by steps directly affecting people's lives. The freedom of individuals to

determine their own destinies is not only a good ultimate objective, it is also a good place to start. Sustained improvements are vital, but concrete steps—to improve emigration, to allow spouses and dual nationals to unite with loved ones, to release human rights activists and religious teachers—these concrete steps are also important.

Each of us has the obligation to press forward wherever we can. One particularly urgent task is to stop the spread of chemical weapons. Too many times in recent years, these weapons have been brutally employed, not only against military forces but against innocent civilians. The proliferation and use of these weapons represent an ominous warning that long-accepted constraints are breaking down. We must all look to the steps we can take to halt the use of these weapons now, to prevent further proliferation, and to invigorate the effort in Geneva to move toward a verifiable treaty that would genuinely ban these weapons forever.

The United States and the Soviet Union have an opportunity to help build a more secure world in the arms control negotiations currently underway in Geneva—where, I might say, we advocate radical reductions in offensive nuclear armaments. And in November our leaders will meet to examine the whole spectrum of issues before us. We are ready and willing to seize the opportunity. Let our two countries begin the patient, serious work of resolving problems and reaching agreements of benefit to us both and to other countries as well.

Steps to reduce weapons and enhance security, steps to enhance economic and other exchanges, and steps to relieve the suffering and enrich the lives of individuals—all these reinforce each other. They are part of the same broad program of security and cooperation enshrined in the Helsinki Final Act. Taken together, they could lead us toward a new era in relations in Europe—one that could bring alive once again the promise of Helsinki and the larger promise of European history.

They are not massive or difficult steps to take. But they are important; they have a larger meaning. They require only courage and political will on the part of all of us.■

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APPENDIX 6

PUBLIC LAW 99-79

August 2, 1985

Joint Resolution

Commemorating the tenth anniversary of the signing of the Helsinki Final Act.

Whereas, on August 1, 1975, the United States joined thirty-four other nations, including the Soviet Union and other Warsaw Pact states, as signatories to the Final Act of the Conference on Security and Cooperation in Europe, known as the Helsinki Final Act, and

Whereas, the Final Act is a balanced document incorporating provisions concerning human rights and fundamental freedoms, military security, cooperation in the fields of economic, scientific, cultural and educational affairs, free flow of information, and humanitarian affairs, and

Whereas, the Helsinki process has evolved into the primary tool of East-West human rights diplomacy and continues to serve as a beacon of hope to victims of oppression in the Soviet Union and Eastern Europe, and

Whereas, the United States, our NATO Allies and a number of neutral and nonaligned countries have documented and protested many serious violations of the human rights and human contacts provisions of the Final Act by the Soviet Union and other Warsaw Pact states, and

Whereas, the Soviet Union displays contempt for basic civil and political rights, such as freedom of thought, conscience, religion and belief; confines in prisons, labor camps and psychiatric institutions or internally exiles hundreds of citizens who have sought to know and act upon their rights, among them thirty-seven imprisoned members of Helsinki monitoring groups, and

Whereas, the Soviet Union callously disregards its pledge to facilitate human contacts and has drastically reduced the numbers of Soviet citizens permitted to emigrate; has consistently denied exit permission to Soviet citizens married to United States citizens and to other individuals who have claims to United States citizenship; and deliberately impedes the East-West flow of information by jamming Western radio broadcasts, and

Whereas, disregard for human rights also is evident in the other Warsaw Pact states of Eastern Europe, and

Whereas, inter alia, Bulgaria maintains virtually total control over the life of its people and recently has engaged in a campaign of forcible assimilation aimed at the Turkish minority population; Czechoslovakia harshly represses independent social, political, religious, minority and cultural expression and persecutes members of Charter '77 and VONS (Committee for the Defense of the Unjustly Persecuted); the German Democratic Republic enforces a restrictive emigration policy; Hungary continually harasses citizens who publish or possess unofficial material; Poland outlaws the Solidarity Union, harasses and prosecutes Solidarity and human rights advocates and currently imprisons over two hundred persons for exercising their human and workers' rights; Romania maintains a repressive internal regime and seriously violates the freedoms of conscience, expression and association, as well as religious liberty and minority rights, and

Whereas, meetings of Helsinki signatory states present important opportunities for Western democracies to call the Soviet Union and its allies to account for these human rights violations, and

Whereas, at the recent Ottawa Human Rights Experts Meeting of Helsinki signatory states, East Bloc human rights violations were raised and deplored by United States Ambassador Richard Schifter and by other Western and Neutral envoys on behalf of their respective states, and

Whereas, United States Secretary of State George P. Shultz will lead the United States Delegation to the tenth anniversary commemoration of the signing of the Final Act: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That —

(1) the Congress strongly reaffirms the human rights principles and humanitarian provisions of the Helsinki Final Act and the Madrid Concluding Document;

(2) the Congress recognizes and condemns continued East Bloc violations of international obligations under the United Nations Charter, the Universal Declaration of Human Rights, the Helsinki Final Act, the Madrid Concluding Document, and other relevant international instruments;

(3) the Congress requests that the President of the United States direct the United States Department of State to convey to the Soviet Union and its allies the United States deep and abiding human rights concerns;

(4) the Congress urges the President to direct the United States Department of State to take full advantage of the opportunities provided by all upcoming meetings of Helsinki signatory states to call the Soviet Union and its allies to account for ongoing human rights violations and to work constructively with the governments of the other Western democracies to promote human rights progress in the Eastern signatory states; and

(5) the Congress calls upon the President to use every opportunity to stress the inherent link — explicitly stated in the Helsinki Final Act and the Madrid Concluding Document — between respect for human rights and the achievement of lasting peace.

Approved August 2, 1985.

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